

Stricken language would be deleted from and underlined language would be added to present law.
Act 1000 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S4/1/13
A Bill

HOUSE BILL 1930

By: Representative Baltz
By: Senators L. Chesterfield, Bookout

For An Act To Be Entitled

AN ACT TO AMEND THE FIREWORKS LAWS; TO CLARIFY AND
MAKE TECHNICAL CORRECTIONS TO THE FIREWORKS LAWS; AND
FOR OTHER PURPOSES.

Subtitle

TO AMEND THE FIREWORKS LAWS; AND TO
CLARIFY AND MAKE TECHNICAL CORRECTIONS TO
THE FIREWORKS LAWS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 20-22-707(a) and (b), concerning application for and issuance of fireworks related licensing are amended to read as follows:

(a)(1)(A) ~~To engage in the sale of fireworks~~ be licensed as a manufacturer, importer, distributor, ~~wholesale jobber,~~ retailer, or shooter of fireworks, an applicant shall submit to the Director of the Department of Arkansas State Police an application on a form provided by the director before April 1 of each year setting forth ~~such facts and~~ the information ~~as that the director may determine~~ determines necessary ~~and proper, considering the requirements of~~ to ensure public health, safety, and welfare.

(B) ~~The license for manufacturers, importers, distributors, wholesale jobbers, and retailers~~ a manufacturer, importer, distributor, jobber, or retailer shall be effective from and shall date from May 1 of the year of issuance. ~~The license for manufacturers, importers, distributors, wholesale jobbers, and retailers shall be valid~~ through April



30 of the following year.

(C) The license for ~~shooters~~ a shooter shall be valid for five (5) years from the date of issuance.

(D) Upon approval of the application by the director and before the issuance of the license ~~therefor~~, the applicant shall pay to the director a license fee for each type of business conducted ~~to~~ based on the following schedule:

- ~~(A)(i)~~ Manufacturer \$1,000.00
- ~~(B)(ii)~~ Importer 750.00
- ~~(C)(iii)~~ Distributor 500.00
- ~~(D)(iv)~~ Jobber ~~wholesaler~~ 100.00
- ~~(E)(v)~~ Retailer 25.00
- ~~(F)(i)(vi)~~ Shooter 50.00

~~(ii)(E)~~ This fee for ~~shooters~~ a shooter shall be waived if the applicant verifies that ~~the applicant~~ he or she is a professional or volunteer firefighter.

(2)(A) ~~However, retailers~~ A retailer may purchase ~~their licenses from their~~ a license from its vendors, which include importers, distributors, vendor if the vendor is a licensed importer, distributor, jobber or from the Arkansas State Police Office of Fire Marshal wholesalers. The retailers' licenses shall be made available by the Department of Arkansas State Police to the ~~vendors~~ vendor in books of twenty (20) licenses to a book.

(B) The ~~vendors~~ vendor shall record the sales of the licenses to retailers and submit ~~their~~ its records to the director semiannually on January 31 and July 31 of each year. Each semiannual report shall cover the preceding six-month period.

~~(B) Vendors may secure a refund of the fees paid for retailer licenses which are not sold by the vendor.~~

~~(C)(3) Failure to~~ A person who does not obtain the permit shall be deemed a required license commits a violation of this subchapter.

(b)(1) ~~Renewal of outstanding licenses to engage in the sale of fireworks~~ A person may renew a license as a manufacturer, importer, distributor, jobber, retailer, or shooter ~~shall be made effective~~ by payment of the fee, ~~as set forth in~~ under subsection (a) of this section, to the director ~~on or before May 1 of each year.~~

(2) License A license renewal ~~applications postmarked~~

application received by the director after May 1 of each year shall be assessed a late penalty in an amount equal to two (2) times the renewal fee, ~~as set forth in~~ under subsection (a) of this section.

~~(3) An initial application postmarked after April 1 shall be assessed a late penalty in an amount equal to two (2) times the license fee, as set forth in this section.~~

SECTION 2. Arkansas Code Title 20, Chapter 22, Subchapter 7, is amended to add additional sections as follows:

20-22-716. License limitations.

(a) An importer license does not authorize a person to sell fireworks at wholesale or retail.

(b) A jobber that does not possess an importer license shall not purchase fireworks other than from a vendor that holds a license as an importer and as a distributor.

20-22-717. Sale or use of sky lanterns.

(a) As used in this section, "sky lantern" means an unmanned free-floating device designed to contain an open flame.

(b) The sale or use of sky lanterns is prohibited.

SECTION 3. EFFECTIVE DATE. This act is effective on and after January 1, 2014.

/s/Baltz

APPROVED: 04/08/2013