



General Assembly

February Session, 2024

***Raised Bill No. 5177***

LCO No. 1126



Referred to Committee on PUBLIC SAFETY AND SECURITY

Introduced by:  
(PS)

***AN ACT CONCERNING THE SALE AND USE OF CERTAIN  
NONAERIAL AND NONEXPLOSIVE CONSUMER FIREWORKS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-356 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2024*):

3 As used in sections 29-356 to 29-365, inclusive, as amended by this  
4 act:

5 (1) "Fireworks" means and includes any combustible or explosive  
6 composition, or any substance or combination of substances or article  
7 prepared for the purpose of producing a visible or an audible effect by  
8 combustion, explosion, deflagration or detonation, and includes blank  
9 cartridges, toy pistols, toy cannons, toy canes or toy guns in which  
10 explosives are used, the type of balloons which require fire underneath  
11 to propel the same, firecrackers, torpedoes, skyrockets, Roman candles,  
12 Daygo bombs, and any fireworks containing any explosive or  
13 flammable compound, or any tablets or other device containing any  
14 explosive substance, except that the term "fireworks" shall not include  
15 sparklers, [and] fountains, nonaerial and nonexplosive consumer

16 fireworks and toy pistols, toy canes, toy guns or other devices in which  
17 paper caps manufactured in accordance with the regulations of the  
18 United States Interstate Commerce Commission or its successor agency  
19 for packing and shipping of toy paper caps are used and toy pistol paper  
20 caps manufactured as provided [therein] in such regulations.

21 (2) "Sparklers" means a wire or stick coated with pyrotechnic  
22 composition that produces a shower of sparks upon ignition.

23 (3) "Fountain" means any cardboard or heavy paper cone or  
24 cylindrical tube containing pyrotechnic mixture that upon ignition  
25 produces a shower of colored sparks or smoke. "Fountain" includes, but  
26 is not limited to, (A) a spike fountain, which provides a spike for  
27 insertion into the ground, (B) a base fountain which has a wooden or  
28 plastic base for placing on the ground, or (C) a handle fountain which is  
29 a handheld device with a wooden or cardboard handle.

30 (4) "Nonaerial and nonexplosive consumer fireworks" means flitter  
31 sparklers, ground spinners and novelty items, including party poppers,  
32 toy smoke devices, throw snappers, snakes and glow worms, as such  
33 terms are defined in American Pyrotechnics Association Standard 87-1,  
34 2001, as amended from time to time.

35 Sec. 2. Section 29-357 of the general statutes is repealed and the  
36 following is substituted in lieu thereof (*Effective October 1, 2024*):

37 (a) Except as provided in subsection (b) of this section, no person,  
38 firm or corporation shall offer for sale, expose for sale, sell at retail or  
39 use or explode or possess with intent to sell, use or explode any  
40 fireworks. A person who is [sixteen] eighteen years of age or older may  
41 offer for sale, expose for sale, sell at retail, purchase, use or possess with  
42 intent to sell or use sparklers, [or] fountains, or nonaerial and  
43 nonexplosive consumer fireworks, of not more than one hundred grams  
44 of pyrotechnic mixture per item, which are nonexplosive and nonaerial,  
45 provided (1) such sparklers and fountains do not contain magnesium,  
46 except for magnalium or magnesium-aluminum alloy, (2) such  
47 sparklers [and fountains] containing any chlorate or perchlorate salts do

48 not exceed five grams of composition per item, and (3) when more than  
49 one fountain is mounted on a common base, the total pyrotechnic  
50 composition does not exceed [two] five hundred grams.

51 (b) The Commissioner of Emergency Services and Public Protection  
52 shall adopt [reasonable] regulations, in accordance with the provisions  
53 of chapter 54, for the granting of permits for supervised displays of  
54 fireworks or for the indoor use of pyrotechnics, sparklers and fountains  
55 for special effects by municipalities, fair associations, amusement parks,  
56 other organizations or groups of individuals or artisans in pursuit of  
57 their trade. Such permit may be issued upon application to said  
58 commissioner and after (1) inspection of the site of such display or use  
59 by the local fire marshal to determine compliance with the requirements  
60 of such regulations, and (2) approval of the chiefs of the police and fire  
61 departments, or, if there is no police or fire department, of the first  
62 selectman, of the municipality wherein the display is to be held as is  
63 provided in this section. No such display shall be handled or fired by  
64 any person until such person has been granted a certificate of  
65 competency by the Commissioner of Emergency Services and Public  
66 Protection, in respect to which a fee of two hundred dollars shall be  
67 payable to the State Treasurer when issued and which may be renewed  
68 every three years upon payment of a fee of one hundred ninety dollars  
69 payable to the State Treasurer, provided such certificate may be  
70 suspended or revoked by said commissioner at any time for cause. Such  
71 certificate of competency shall attest to the fact that such operator is  
72 competent to fire a display. Such display shall be of such a character and  
73 so located, discharged or fired as in the opinion of the chiefs of the police  
74 and fire departments or such selectman, after proper inspection, will not  
75 be hazardous to property or endanger any person or persons. In an  
76 aerial bomb, no salute, report or maroon may be used that is composed  
77 of a formula of chlorate of potash, sulphur, black needle antimony and  
78 dark aluminum. Formulas that may be used in a salute, report or  
79 maroon are as follows: (A) Perchlorate of potash, black needle antimony  
80 and dark aluminum, and (B) perchlorate of potash, dark aluminum and  
81 sulphur. No high explosive such as dynamite, fulminate of mercury or

82 other stimulator for detonating shall be used in any aerial bomb or other  
83 pyrotechnics. Application for permits shall be made in writing at least  
84 fifteen days prior to the date of display, on such notice as the  
85 Commissioner of Emergency Services and Public Protection by  
86 regulation prescribes, on forms furnished by the commissioner, and a  
87 fee of one hundred dollars shall be payable to the State Treasurer with  
88 each such application. After such permit has been granted, sales,  
89 possession, use and distribution of fireworks for such display shall be  
90 lawful for that purpose only. No permit granted [hereunder] pursuant  
91 to this section shall be transferable. Any permit issued under the  
92 provisions of this section may be suspended or revoked by the  
93 Commissioner of Emergency Services and Public Protection or the local  
94 fire marshal for violation by the permittee of any provision of the  
95 general statutes, any regulation or any ordinance relating to fireworks.

96 (c) The Commissioner of Emergency Services and Public Protection  
97 may grant variations or exemptions from, or approve equivalent or  
98 alternate compliance with, particular provisions of any regulation  
99 issued under the provisions of subsection (b) of this section where strict  
100 compliance with such provisions would entail practical difficulty or  
101 unnecessary hardship or is otherwise adjudged unwarranted, provided  
102 any such variation, exemption, approved equivalent or alternate  
103 compliance shall, in the opinion of the commissioner, secure the public  
104 safety and shall be made in writing.

105 (d) Any person, firm or corporation violating the provisions of this  
106 section shall be guilty of a class C misdemeanor, except that (1) any  
107 person, firm or corporation violating the provisions of subsection (a) of  
108 this section by offering for sale, exposing for sale or selling at retail or  
109 possessing with intent to sell any fireworks with a value exceeding ten  
110 thousand dollars shall be guilty of a class A misdemeanor, and (2) any  
111 person, firm or corporation violating any provision of subsection (b) of  
112 this section or any regulation adopted [thereunder] pursuant to said  
113 subsection shall be guilty of a class A misdemeanor, except if death or  
114 injury results from any such violation, such person, firm or corporation  
115 shall be guilty of a class C felony.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	29-356
Sec. 2	<i>October 1, 2024</i>	29-357

**Statement of Purpose:**

To authorize the sale and use by consumers of certain nonaerial and nonexplosive consumer fireworks.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*