



ARIZONA STATE SENATE

Fifty-First Legislature, First Regular Session

FACT SHEET FOR H.B. 2481

permissible consumer fireworks; penalty

Purpose

Decreases the penalty, from a misdemeanor to a petty offense, for violating a regulation of the use of permissible consumer fireworks.

Background

Permissible consumer fireworks are defined as a list of acceptable novelties, including ground and handheld sparkling devices, fountains, wheels and toy smoke devices, but do not include anything intended to rise into the air and explode, such as bottle rockets or roman candles (A.R.S. § 13-1601). Arizona law asserts that the sale and use of permissible consumer fireworks are of statewide concern. The use of permissible consumer fireworks is not subject to further regulation by a governing body with limited exceptions, such as an incorporated city or town regulating their use within its corporate limits. A county may regulate the use of permissible consumer fireworks within the unincorporated areas of the county when there is a reasonable risk of wildfires in the immediate county (A.R.S. § 36-1606).

There may be a fiscal impact related to this legislation to counties, cities or towns. Statute classifies a violation of a fireworks provision as a class 3 misdemeanor, the maximum penalty for which is 30 days in jail and a fine of \$500. For a petty offense, a fine is the only penalty authorized by law (A.R.S. § 13-105).

Provisions

1. Reduces the penalty for violating a regulation regarding the use of permissible consumer fireworks within a county, city or town from a class 3 misdemeanor to a petty offense.
2. Becomes effective on the general effective date.

House Action

PSMRA	2/6/13	DP	8-0-0-0
3 rd Read	2/25/13		36-24-0-0

Prepared by Senate Research
March 11, 2013
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