

REFERENCE TITLE: consumer fireworks; regulation

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

SB 1388

Introduced by
Senators Pierce S: Bundgaard, Nelson

AN ACT

AMENDING SECTION 36-1606, ARIZONA REVISED STATUTES; RELATING TO FIREWORKS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-1606, Arizona Revised Statutes, is amended to
3 read:

4 36-1606. Consumer fireworks regulation; state preemption;
5 further regulation of fireworks by local
6 jurisdiction

7 A. The sale and use of permissible consumer fireworks are of statewide
8 concern. The regulation of permissible consumer fireworks pursuant to this
9 article and their use is not subject to further regulation by a governing
10 body, except that:

11 1. An incorporated city or town may regulate the SALE AND use of
12 permissible consumer fireworks within its corporate limits. ~~and~~

13 2. A COUNTY WITH A POPULATION OF LESS THAN THREE MILLION PERSONS MAY
14 REGULATE THE SALE AND USE OF PERMISSIBLE CONSUMER FIREWORKS WITHIN THE
15 UNINCORPORATED AREAS OF THE COUNTY.

16 3. A county WITH A POPULATION OF THREE MILLION OR MORE PERSONS may
17 regulate the use of permissible consumer fireworks within the unincorporated
18 areas of the county during times when there is a reasonable risk of wildfires
19 in the immediate county.

20 B. This article does not prohibit the imposition by ordinance of
21 further regulations and prohibitions on the sale, use and possession of
22 fireworks other than permissible consumer fireworks by a governing body.

23 C. A governing body shall not permit or authorize the sale, use or
24 possession of any fireworks in violation of this article.