

House Engrossed

fireworks; use; overnight hours; prohibition.

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

# HOUSE BILL 2226

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

11 1. In a county with a population of more than five hundred thousand  
12 persons, a city or town within its corporate limits or the county within  
13 the unincorporated areas of the county may do all of the following:

14 (a) Regulate, consistent with the standards set forth in NFPA 1124,  
15 the sale of permissible consumer fireworks within its corporate limits.

16 (b) Prohibit the sale of permissible consumer fireworks on days  
17 other than April 25 through May 6, May 20 through July 6 and December 10  
18 through January 3 of each year.

19 (c) Prohibit the use of permissible consumer fireworks on days  
20 other than May 4 through May 6, June 24 through July 6 and December 24  
21 through January 3 of each year.

22 (d) Prohibit on all days the use of permissible consumer fireworks  
23 within a one-mile radius of the border of preservation lands owned by a  
24 city or town that has purchased more than fifteen thousand acres of land  
25 for preservation purposes.

26 (e) Prohibit on all days during a stage one or higher fire  
27 restriction the use of permissible consumer fireworks within a one-mile  
28 radius of the border of any municipal or county mountain preserve, desert  
29 park, regional park, designated conservation area, national forest or  
30 wilderness area.

31 (f) PROHIBIT ON ALL DAYS THE USE OF PERMISSIBLE CONSUMER FIREWORKS  
32 BETWEEN THE HOURS OF 11:00 P.M. AND 8:00 A.M., EXCEPT:

33 (i) BETWEEN THE HOURS OF 11:00 P.M. ON DECEMBER 31 OF EACH YEAR  
34 THROUGH 1:00 A.M. ON JANUARY 1 OF EACH YEAR.

35 (ii) BETWEEN THE HOURS OF 11:00 P.M. ON JULY 4 OF EACH YEAR THROUGH  
36 1:00 A.M. ON JULY 5 OF EACH YEAR.

37 2. In a county with a population of less than five hundred thousand  
38 persons, a city or town within its corporate limits or the county within  
39 the unincorporated areas of the county may do all of the following:

40 (a) Regulate, consistent with the standards set forth in NFPA 1124,  
41 the sale of permissible consumer fireworks.

42 (b) Prohibit the sale of permissible consumer fireworks on days  
43 other than May 20 through July 6 and December 10 through January 3 of each  
44 year. The sale of permissible consumer fireworks may be prohibited on  
45 days between May 20 through July 6 and December 10 through January 3 of

1 each year if a federal or state agency implements a stage one or higher  
2 fire restriction. Any prohibition during those dates is limited to only  
3 the dates when the stage one or higher fire restriction is in place.

4 (c) Prohibit the use of permissible consumer fireworks on days  
5 other than June 24 through July 6 and December 24 through January 3 of  
6 each year. The use of permissible consumer fireworks may be prohibited  
7 during June 24 through July 6 and December 24 through January 3 of each  
8 year if a federal or state agency implements a stage one or higher fire  
9 restriction. Any prohibition during those dates is limited to only the  
10 dates when the stage one or higher fire restriction is in place.

11 (d) Prohibit on all days the use of permissible consumer fireworks  
12 within a one-mile radius of the border of preservation lands owned by a  
13 city or town that has purchased more than fifteen thousand acres of land  
14 for preservation purposes.

15 (e) Prohibit on all days the use of permissible consumer fireworks  
16 within a one-mile radius of the border of any municipal or county mountain  
17 preserve, desert park, regional park, designated conservation area,  
18 national forest or wilderness area.

19 (f) PROHIBIT ON ALL DAYS THE USE OF PERMISSIBLE CONSUMER FIREWORKS  
20 BETWEEN THE HOURS OF 11:00 P.M. AND 8:00 A.M., EXCEPT:

21 (i) BETWEEN THE HOURS OF 11:00 P.M. ON DECEMBER 31 OF EACH YEAR  
22 THROUGH 1:00 A.M. ON JANUARY 1 OF EACH YEAR.

23 (ii) BETWEEN THE HOURS OF 11:00 P.M. ON JULY 4 OF EACH YEAR THROUGH  
24 1:00 A.M. ON JULY 5 OF EACH YEAR.

25 B. A governing body that chooses to regulate, consistent with the  
26 requirements set forth in NFPA 1124 and subsection A of this section, the  
27 sale or use of permissible consumer fireworks may not require any  
28 additional signage requirements for the sale or use of permissible  
29 consumer fireworks other than those signage requirements stipulated in  
30 NFPA 1124, except that additional signage that is eight and one-half  
31 inches by eleven inches in size, that is on cardstock paper in landscape  
32 orientation and that contains the following language on a contrasting  
33 background may be posted by the retail sales display of permissible  
34 consumer fireworks:

35 State of Arizona  
36 Consumer Fireworks Regulations  
37 Arizona Revised Statutes section 36-1601, et al.  
38 The use of permissible consumer fireworks  
39 as defined under state law is allowed:  
40 May 4 - May 6, June 24 - July 6 and December 24 - January 3  
41 The sale of permissible consumer fireworks  
42 as defined under state law is allowed:  
43 April 25 - May 6, May 20 - July 6 and December 10 - January 3  
44 All other fireworks are prohibited, except  
45 as authorized by local fire department permit.

1           The sale and use of novelties known as snappers (pop-its),  
2           party poppers, glow worms, snakes, toy smoke devices and  
3           sparklers are permitted at all times.

4           Permissible consumer fireworks may not be sold to  
5           persons under sixteen years of age.

6           Check with your local fire department for additional  
7           regulations and dates before using.

8           C. This article does not prohibit the imposition by ordinance of  
9 further regulations and prohibitions by a governing body on the sale, use  
10 and possession of fireworks other than permissible consumer fireworks. A  
11 governing body may not allow or authorize the sale, use or possession of  
12 any fireworks in violation of this article.