

PROPOSED  
SENATE AMENDMENTS TO S.B. 1188  
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

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 and two days before the first day of Diwali  
19 through the third day of Diwali each year.

20 (c) Prohibit the use of permissible consumer fireworks on days other  
21 than May 4 through May 6, June 24 through July 6 and December ~~24~~ 26 through  
22 January 3 of each year and the second and third days of Diwali of each  
23 year.

24 (d) Prohibit on all days the use of permissible consumer fireworks  
25 within a one-mile radius of the border of preservation lands owned by a

1 city or town that has purchased more than fifteen thousand acres of land  
2 for preservation purposes.

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

8 (f) Prohibit on all days the use of permissible consumer fireworks  
9 between the hours of 11:00 p.m. and 8:00 a.m., except:

10 (i) Between the hours of 11:00 p.m. on December 31 of each year  
11 through 1:00 a.m. on January 1 of each year.

12 (ii) Between the hours of 11:00 p.m. on July 4 of each year through  
13 1:00 a.m. on July 5 of each year.

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

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

19 (b) Prohibit the sale of permissible consumer fireworks on days  
20 other than May 20 through July 6 and December 10 through January 3 of each  
21 year. The sale of permissible consumer fireworks may be prohibited on days  
22 between May 20 through July 6 and December 10 through January 3 of each  
23 year if a federal or state agency implements a stage one or higher fire  
24 restriction. Any prohibition during those dates is limited to only the  
25 dates when the stage one or higher fire restriction is in place.

26 (c) Prohibit the use of permissible consumer fireworks on days other  
27 than June 24 through July 6 and December ~~24~~ 26 through January 3 of each  
28 year. The use of permissible consumer fireworks may be prohibited during  
29 June 24 through July 6 and December ~~24~~ 26 through January 3 of each year if  
30 a federal or state agency implements a stage one or higher fire  
31 restriction. Any prohibition during those dates is limited to only the  
32 dates when the stage one or higher fire restriction is in place.

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

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

9 (f) Prohibit on all days the use of permissible consumer fireworks  
10 between the hours of 11:00 p.m. and 8:00 a.m., except:

11 (i) Between the hours of 11:00 p.m. on December 31 of each year  
12 through 1:00 a.m. on January 1 of each year.

13 (ii) Between the hours of 11:00 p.m. on July 4 of each year through  
14 1:00 a.m. on July 5 of each year.

15 B. A governing body that chooses to regulate, consistent with the  
16 requirements set forth in NFPA 1124 and subsection A of this section, the  
17 sale or use of permissible consumer fireworks may not require any  
18 additional signage requirements for the sale or use of permissible consumer  
19 fireworks other than those signage requirements stipulated in NFPA 1124,  
20 except that additional signage that is eight and one-half inches by eleven  
21 inches in size, that is on cardstock paper in landscape orientation, that  
22 lists the days of that year that are described in subsection A, ~~paragraphs~~  
23 ~~PARAGRAPH 1 and 2~~ of this section relating to the time frame surrounding  
24 Diwali and that contains the following language on a contrasting background  
25 may be posted by the retail sales display of permissible consumer  
26 fireworks:

27 State of Arizona

28 Consumer Fireworks Regulations

29 Arizona Revised Statutes section 36-1601, et al.

30 The use of permissible consumer fireworks

31 as defined under state law is allowed:

32 May 4 - May 6, June 24 - July 6 and December ~~24~~ 26 - January 3

1                   The sale of permissible consumer fireworks  
2                   as defined under state law is allowed:  
3           April 25 - May 6, May 20 – July 6 and December 10 – January 3

4                   All other fireworks are prohibited, except  
5                   as authorized by local fire department permit.

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

9                   Permissible consumer fireworks may not be sold to  
10                   persons under sixteen years of age.

11                   Check with your local fire department for additional  
12                   regulations and dates before using.

13           C. This article does not prohibit the imposition by ordinance of  
14           further regulations and prohibitions by a governing body on the sale, use  
15           and possession of fireworks other than permissible consumer fireworks. A  
16           governing body may not allow or authorize the sale, use or possession of  
17           any fireworks in violation of this article."

18 Amend title to conform

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1188MESNARD  
01/30/2023  
11:49 AM  
C: MH