

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



HOUSE BILL 21-1235

BY REPRESENTATIVE(S) Bird and Benavidez, Duran, Esgar, Gray, Hooton, McCormick, Mullica, Ricks, Sirota, Valdez A., Bennett, Cutter; also SENATOR(S) Story, Gonzales, Winter.

CONCERNING MEASURES TO IMPROVE PUBLIC SAFETY THROUGH THE MODIFICATION OF THE REGULATION OF FIREWORKS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 24-33.5-2002, **add** (7.5), (8.3), (8.5), and (8.7) as follows:

24-33.5-2002. Unlawful use or sale of fireworks - exceptions.
(7.5) IT IS UNLAWFUL FOR A PERSON LICENSED AS A RETAILER PURSUANT TO THIS PART 20 TO SELL, OFFER FOR SALE, EXPOSE FOR SALE, POSSESS WITH INTENT TO SELL, DELIVER, CONSIGN, OR OTHERWISE FURNISH A FIREWORK, EXCEPT A PERMISSIBLE FIREWORK, TO ANOTHER PERSON.

(8.3) IT IS UNLAWFUL FOR A PERSON LICENSED AS A DISPLAY RETAILER PURSUANT TO THIS PART 20 TO SELL, OFFER FOR SALE, EXPOSE FOR SALE, POSSESS WITH INTENT TO SELL, DELIVER, CONSIGN, GIVE, OR

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

OTHERWISE FURNISH A FIREWORK, EXCEPT DISPLAY FIREWORKS OR ARTICLES PYROTECHNIC TO A PERSON AUTHORIZED BY SECTION 24-33.5-2003.

(8.5) IT IS UNLAWFUL FOR A PERSON LICENSED AS A WHOLESALER PURSUANT TO THIS PART 20 TO SELL, OFFER FOR SALE, EXPOSE FOR SALE, POSSESS WITH INTENT TO SELL, DELIVER, CONSIGN, GIVE, OR OTHERWISE FURNISH A FIREWORK, EXCEPT PERMISSIBLE FIREWORKS TO A RETAILER FOR RESALE IN COLORADO.

(8.7) IT IS UNLAWFUL FOR A PERSON LICENSED AS AN EXPORTER PURSUANT TO THIS PART 20 TO SELL, OFFER FOR SALE, EXPOSE FOR SALE, POSSESS WITH INTENT TO SELL, DELIVER, CONSIGN, GIVE, OR OTHERWISE FURNISH A FIREWORK TO A PERSON, EXCEPT AS PROVIDED BY SECTION 24-33.5-2006.

SECTION 2. In Colorado Revised Statutes, 24-33.5-2006, **amend** (2) as follows:

24-33.5-2006. Exportation of fireworks. (2) The exporter may transport such fireworks by common carrier or by the exporter's vehicle; except that the sale of the fireworks for transport in the purchaser's vehicle is unlawful unless

~~(a) The exporter requires the purchaser to display a valid motor vehicle driver's license issued by a state other than the state of Colorado and records the number and state of issue of such driver's license on the bill of lading pertaining to the sale, and further requires the purchaser to display a valid motor vehicle registration showing that the purchaser owns a motor vehicle licensed in a state other than the state of Colorado, which license plate number and state of issue shall be recorded on the bill of lading pertaining to the sale; or~~

(b) the exporter requires the purchaser to display a valid motor vehicle driver's license issued by the state of Colorado and records the number and state JURISDICTION of issue of the driver's license on the bill of lading pertaining to the sale, and further requires the purchaser to furnish a valid EXPORTER OF FIREWORKS LICENSE ISSUED PURSUANT TO THIS PART 20, OR A VALID wholesale, or retail, license number or resale license number issued by the governing body of a state or local authority located outside of the state of Colorado, which number and state OR LOCAL AUTHORITY of

issue shall MUST be recorded on the bill of lading pertaining to the sale.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO