

HB 110 – Fireworks

HB 110 by Rep. Jay Robert (Ocilla) passed during the 2015 Legislative Session. It has been sent to Gov. Nathan Deal for his signature. HB 110 allows for the sale of fireworks in Georgia. Below are listed the key points of this legislation.

Permit to Sell Fireworks

- Georgia's Safety Fire Commissioner (which is also the State Insurance Commissioner) will issue a state license to sell fireworks after an applicant meets specific insurance and criminal background requirements and pays the state license fee.

Where Fireworks Can Be Sold

- Fireworks can be sold statewide. Local governments cannot ban or restrict firework sales within their jurisdictions.
- Local governments are allowed to regulate where fireworks can be sold through local zoning regulations.
- Fireworks may be sold from a permanent consumer fireworks retail sales facility, store or temporary structure if it complies with the requirements as described by the National Fire Protection Association.
- Temporary structures for the sale of fireworks must be set-up within 1,000 feet of a fire hydrant or a fire department connection of a building unless the chief administrative officer of a fire department gives permission in writing stating otherwise.

Usage of Fireworks

- Fireworks can be used between the hours of 10:00 a.m. and midnight. On January 1, July 3, July 4 and December 31, fireworks can be used from 10:00 a.m. through 2:00 a.m.
- Fireworks cannot be exploded within 100 yards of a nuclear power facility or a gas station, or a facility that refines, processes, or blends gasoline.

Fees Payable to Local Governments

- Local governments may assess a fee up to \$100 for the issuance of a special use permit.
- The license fee for a distributor selling consumer fireworks from a temporary consumer fireworks retail sales stand is set at \$500 and expires 90 days after it has been issued.
- Local government must dedicate fees collected from the issuance of a special use permit for the sale of fireworks for public safety purposes.

Excise Tax on the Sale of Fireworks

- The sale of fireworks is subject to a 5 percent excise tax. The funds from the excise tax go to the State of Georgia.

Additional Local Government Regulations

- Local governments are not allowed to enact additional regulations related to the sale or use or explosion of fireworks.