

THE HOUSE OF REPRESENTATIVES
Wednesday, February, 24, 2010

House Bill No. 2628

HOUSE BILL NO. 2628 - By: JONES of the House.

An Act relating to revenue and taxation; amending 68 O.S. 2001, Section 1623, which relates to fireworks; modifying when fireworks may be sold by certain types of businesses; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 68 O.S. 2001, Section 1623, is amended to read
2 as follows:

3 Section 1623. Class "C" Common Fireworks may be legally stored, sold and used in
4 this state with the exceptions and conditions specified under the provisions of this act.

5 ~~(a)~~ 1. All fireworks storage and sales areas shall be conspicuously posted with signs
6 reading "FIREWORKS-NO SMOKING".

7 ~~(b)~~ 2. Fireworks offered for retail sale must be protected from direct contact and
8 handling by the public at all times. ~~Self-serve or marketing where retail customers are~~
9 ~~allowed to move among stocks of fireworks or serve themselves from fireworks stocks or~~
10 ~~displays is strictly prohibited.~~ Mail-order sales to consumers are prohibited through any
11 medium of either interstate or intrastate commerce. Sales of fireworks may only be
12 made at properly licensed retail locations within the State of Oklahoma. A sales clerk
13 must be on duty to serve the consumer at the time of purchase.

1 ~~(c) Fireworks shall not be sold or displayed to the public within any building or~~
2 ~~portion thereof or any vehicle which allows entry by any persons other than employees~~
3 ~~within such building or vehicle unless the fireworks are kept where they cannot be~~
4 ~~reached or handled by those persons.~~

5 3. An enclosed building used for sale of fireworks to the public shall have adequate
6 exits as determined by the State Fire Marshal. The use of tents or other nonrigid
7 shelters for the sale or storage of fireworks where the public may move about under or
8 within the confines of a shelter is prohibited.

9 ~~(d)~~ 4. The retail license holder shall be responsible for the safe operation of retail
10 sales to the public. The retail license holder shall be at least sixteen (16) years of age.

11 ~~(e) No person shall offer fireworks for sale~~ 5. Fireworks may be sold by licensed
12 manufacturers, distributors or wholesalers at wholesale or retail to residents and
13 nonresidents of the State of Oklahoma at retail before the 15th day of state from January
14 1 until December 31 of each calendar year. Fireworks may only be sold by licensed
15 retailers from June or after the 6th day of 15 until July 6, and before the 15th day of
16 from December or after the 2nd day of in 15 until January 2 to residents and
17 nonresidents of the state each calendar year.

18 SECTION 2. This act shall become effective November 1, 2010.

19 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET,
20 dated 02-23-10 - DO PASS.