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House Bill 146
Regulation of Fireworks
Sectional Analysis - Version 33-GH1356\A

Section 1: Amends the definition of “explosive” under Alaska Statute (AS) 11.81.900(b)(24) to conform to the proposed repeal of AS 18.72.100 under Section 5 of the bill. Currently, AS 18.72.100 provides the definitions for terms used in AS 18.72 and fireworks regulations adopted in the state fire safety code. Under this bill, these definitions would be adopted in regulations.

Section 2: Repeals and reenacts AS 18.72.010 relating to regulation of the sale of dangerous fireworks. It directs the Department of Public Safety (DPS) to adopt regulations relating to minimum standards for fireworks, including sale, storage, distribution, and use; permits DPS to establish by regulation, and to charge, reasonable fees for fireworks permits and inspections; and provides DPS the authority to enter any building where fireworks are stored or kept for the purpose of inspecting fireworks for compliance with regulations adopted under this section.

Section 3: Amends AS 18.72.040 relating to criminal penalties for failing to comply with firework laws by deleting “provisions of this chapter” in favor of “regulations adopted under AS 18.72.010” to conform with the proposed changes made in Section 2.

Section 4: Amends AS 18.72.060 relating to municipal regulation of fireworks to conform to the proposed changes made in this bill by deleting references to the standards under AS 18.72. The authority remains for municipalities to adopt fireworks standards that are more restrictive, but not less, than state regulations.

Section 5: Repeals AS 18.72.020 and the regulation of sale of salable fireworks; AS 18.72.030 and a fireworks wholesaler’s license; and AS 18.72.100 and the definitions under chapter 72. The standards and definitions outlined in these sections would be adopted in regulations.

Section 6: Provides transition language to allow DPS to proceed with adopting regulations before the bill takes effect. The regulations would not take effect before the effective date of the bill.

Section 7: Provides an immediate effective date for Section 6. The remainder of the bill has no effective date provision and would therefore take effect 90 days after enactment.