

JAN 28 2009

S.B. NO. 1254

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# A BILL FOR AN ACT

RELATING TO FIREWORKS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 132D, Hawaii Revised Statutes, is  
2 amended by adding three new sections to be appropriately  
3 designated and to read as follows:

4           "§132D-A   Illegal fireworks activity; reporting.   The state  
5 fire council shall establish an illegal fireworks activity  
6 program to allow residents of all counties to anonymously report  
7 illegal fireworks activity and receive a monetary reward for  
8 legitimate reports. The state fire council shall determine  
9 procedures and a reward structure for the program.

10           Monetary rewards shall be funded from permit fees collected  
11 under section 132D-10. The state fire council shall determine  
12 the necessary allocations from each county to fund the program.

13           The state fire council may adopt rules pursuant to chapter  
14 91 to effectuate this section.

15           For the purposes of this section "illegal fireworks  
16 activity" means fireworks related activity that is prohibited  
17 under this chapter.



1        §132D-B    Illegal aerial devices; reporting.    The state fire  
2        council and the county police departments shall establish an  
3        illegal aerial devices reporting program to allow residents of  
4        all counties to report the illegal sale of aerial devices and to  
5        receive a \$1,000 reward for reports that lead to the arrest and  
6        conviction of persons illegally selling aerial devices. The  
7        state fire council shall determine procedures for the program  
8        and shall also determine the allocation from each county's  
9        receipt of fees collected under section 132D-10 to maintain a  
10       minimum \$25,000 balance in the illegal aerial devices fund.

11       The state fire council may adopt rules pursuant to chapter  
12       91 to effectuate this section.

13       §132D-C    Illegal aerial devices fund.    There is established  
14       in the state treasury an illegal aerial devices fund. The fund  
15       shall be used exclusively to pay rewards for the reporting of  
16       the illegal sale of aerial devices under section 132D-B.

17       Moneys collected from fees in section 132D-10 shall be  
18       deposited into the illegal aerial devices fund pursuant to  
19       county allocations under section 132D-B."

20       SECTION 2.    Section 132D-10, Hawaii Revised Statutes, is  
21       amended to read as follows:



1           "**§132D-10 Permits.** (a) A permit shall be required for  
2 the purchase and use of:

3           (1) Any consumer fireworks commonly known as firecrackers  
4           upon payment of a fee of \$25;

5           (2) Any aerial devices, display fireworks, or articles  
6           pyrotechnic for the purposes of section 132D-16 upon  
7           payment of a fee of \$110; and

8           (3) Any consumer fireworks for the purposes of section  
9           132D-5 or for cultural uses that occur at any time  
10           other than during the periods prescribed in section  
11           132D-3(1) upon a payment of a fee of \$25.

12           (b) All fees collected under this section shall be payable  
13 to the county that collected the fee; provided that:

14           (1) Pursuant to section 132D-B, a portion of the proceeds  
15 collected under this section shall be deposited into  
16 the illegal aerial devices fund under section 132D-C;  
17           and

18           (2) The proceeds shall also be used for the purposes of  
19 sections 132D-A."

20           SECTION 3. In codifying the new sections added by section  
21 1 of this Act, the revisor of statutes shall substitute



1 appropriate section numbers for the letters used in designating  
2 the new sections in this Act.

3 SECTION 4. New statutory material is underscored.

4 SECTION 5. This Act shall take effect on July 1, 2009.

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INTRODUCED BY:

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**Report Title:**

Fireworks

**Description:**

Establishes programs to encourage and reward the reporting of illegal fireworks activities.

