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# OHIO LEGISLATIVE SERVICE COMMISSION

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## Synopsis of Senate Committee Amendments

(This synopsis does not address amendments that may have been adopted on the Senate Floor.)

### H.B. 253 of the 133<sup>rd</sup> General Assembly

#### Senate Transportation, Commerce and Workforce

Andrew Little, Attorney

#### **Fountain device retailers**

Removes the fountain device retailer provisions from the bill.

#### **Fireworks discharge**

Eliminates the year-round authorization for the discharge of consumer-grade fireworks in Ohio, and corresponding option for local governments to prohibit that discharge.

Allows local governments to authorize the discharge of consumer-grade fireworks on July 3, 4, and 5.

#### **License moratorium**

Declares an emergency with respect to the bill's changes to the moratorium on new, and geographic transfer of existing, fireworks manufacturer and wholesaler licenses.

Changes to December 15, 2022, the expiration of the moratorium on new fireworks manufacturer and wholesaler licenses, which is set to expire on December 31, 2020, under current law and 18 months after the expiration of the geographic transfer moratorium expires under the As Passed by the House version of the bill.

Changes to December 15, 2022, the expiration of the geographic transfer moratorium for current fireworks manufacturer and wholesaler licenses, which is set to expire on December 31, 2020, under current law and 260 days after the bill is filed with the Secretary of State under the As Passed by the House version of the bill.

Establishes procedures for application for, and approval of, geographic transfers of fireworks wholesaler and manufacturer licenses.

Removes from the bill House language that extends existing procedures for licensed fireworks wholesalers and manufacturers to apply to make alterations to their licensed premises, and providing for review of those requests by the State Fire Marshal, to requests to relocate the licensed premises to a new location.

Provides that certain ownership transfers approved by the State Fire Marshal are not subject to the moratorium on new fireworks manufacturer and wholesaler licenses.

### **One-time application period**

Places an application start date, of not more than six months before the expiration of existing law's license moratorium, on the bill's one-time license period. That one-time license period allows those who wish to receive a fireworks wholesaler or manufacturer license when the moratorium on new licenses ends, rather than on the first annual licensure date following the moratorium's end.

### **Variations**

Removes proposed language regarding variations to the state's fireworks laws from the bill.

### **Retail showroom floor size**

Removes a proposed increase in the allowable size of retail showrooms for fireworks, from 5,000 to 10,000 square feet, from the bill.

### **Commercial-grade fireworks**

Requires those obtaining commercial-grade fireworks for use in Ohio to be a licensed exhibitor and to possess a valid public display exhibition permit.

Limits possession of commercial-grade fireworks obtained for use in Ohio to the locations and for the time periods specified in the relevant display permit, with an exception for possession while in transit to those locations.

### **Rules for consumer-grade fireworks use**

Changes the deadline for the State Fire Marshal to file rules regulating the use of consumer-grade fireworks from 180 days after the relevant section becomes effective (270 days after the bill is filed with the Secretary of State) to February 28, 2022.