



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, Second Regular Session*

FACT SHEET FOR H.B. 2255

fireworks; permissible use; Diwali.

Purpose

Removes specified days before and during Diwali from the days that a city, town and county (governing body) may prohibit the sale and use of permissible consumer fireworks.

Background

The sale and use of permissible consumer fireworks are of statewide concern and not subject to further regulation, except that a local governing body in a county with a population of more than 500,000 may: 1) regulate, consistent with the standards set forth by the National Fire Protection Association, the sale of fireworks within its corporate limits; 2) prohibit the sale of fireworks on days other than April 25 through May 6, May 20 through July 6 and December 10 through January 3; 3) prohibit the use of fireworks on days other than May 4 through May 6, June 24 through July 6 and December 24 through January 3; and 4) prohibit on all days the use of fireworks within a one mile radius of the border of preservation lands ([A.R.S. § 36-1606](#)).

*Permissible consumer fireworks* are the following types of fireworks as defined by the American Pyrotechnics Association (APA): 1) ground and handheld sparkling devices; 2) cylindrical fountains; 3) cone fountains; 4) illuminating torches; 5) wheels; 6) ground spinners; 7) flitter sparklers; 8) toy smoke devices; 9) wire sparklers or dipped sticks; and 10) multiple tube ground and handheld sparkling devices, cylindrical fountains, cone fountains and illuminating torches manufactured to the APA's standards ([A.R.S. § 36-1601](#)).

While the date of Diwali changes every year, it typically falls between October and November ([U.S. DOS](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Removes the following time periods from the days a governing body in a county with a population of more than 500,000 may prohibit:
  - a) the sale of permissible consumer fireworks, two days before the first day of Diwali through the third day of Diwali each year; and
  - b) the use of permissible consumer fireworks, the second and third days of Diwali each year.
2. Includes, on additional sales signage that a governing body may require to be posted by the retail sales display of permissible consumer fireworks, the list of days that year relating to the time frame surrounding Diwali.
3. Becomes effective on the general effective date.

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House Action

MAPS	1/31/22	DP	8-7-0-0
3 <sup>rd</sup> Read	2/17/22		32-26-2

Prepared by Senate Research

March 11, 2022

LMM/IJ/sr