

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1447

By: Jech

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6 AS INTRODUCED

7 An Act relating to fireworks; amending 68 O.S. 2011,
8 Section 1627, as amended by Section 2, Chapter 142,
9 O.S.L. 2014 (68 O.S. Supp. 2015, Section 1627), which
10 relates to unlawful sales and unlawful discharging of
11 fireworks; prohibiting discharging of fireworks
12 within five hundred feet of certain lands; and
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 68 O.S. 2011, Section 1627, as
16 amended by Section 2, Chapter 142, O.S.L. 2014 (68 O.S. Supp. 2015,
17 Section 1627), is amended to read as follows:

18 Section 1627. A. 1. No person shall knowingly sell, purchase,
19 or deliver, or cause to be sold, purchased, or delivered, fireworks
20 for resale to any other person who does not possess a valid license
21 under this act. It shall be unlawful for a distributor, wholesaler,
22 or retailer, licensed under this act, to purchase fireworks from any
23 person, unless the distributor, wholesaler, or retailer determines
24 that the person holds a valid distributor's, wholesaler's, or
manufacturer's license under this act. All retail sales outlets

1 shall have a current retail license. The license shall be
2 conspicuously posted in the immediate vicinity of the sales
3 operation and shall be immediately available for examination by the
4 public or any enforcement officer. No license provided for herein
5 shall be transferable nor shall any person be permitted to operate
6 under a license granted to another person.

7 2. A distributor, wholesaler, or retailer who sells fireworks
8 to the consumer may purchase merchandise in or out of this state as
9 long as the retailer buys from a person that has a legal license to
10 do business in this state.

11 3. The State Fire Marshal shall, by rule, enforce the
12 provisions of this subsection.

13 B. It shall be unlawful to offer for retail sale or to sell any
14 fireworks to children under the age of twelve (12) years, unless
15 accompanied by an adult, or to any intoxicated or irresponsible
16 person.

17 C. It shall be unlawful to explode or ignite fireworks within
18 five hundred (500) feet of any ~~church~~:

19 1. Church, hospital, asylum, unharvested, ~~or~~ flammable
20 agricultural crop, public school, or where fireworks are stored,
21 sold or offered for sale;

22 2. Land with flammable crop residue on it which is being
23 utilized for conservation purposes, such as wind and water erosion
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1 control, moisture management, and other minimum tillage and no
2 tillage crop production practices;

3 3. Land that is required to maintain a minimum amount of
4 residue in order to be in compliance with programs of the Natural
5 Resources Conservation Services of the United States Department of
6 Agriculture; or

7 4. Land having flammable crop residue on it which is being
8 utilized to enhance a wildlife habitat.

9 D. No person shall ignite or discharge any permissible articles
10 of fireworks within or throw the same from a motor vehicle; nor
11 shall any person place or throw any ignited article of fireworks
12 into or at such a motor vehicle or at or near any group of people.

13 SECTION 2. This act shall become effective November 1, 2016.

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