

HOUSE BILL 286

By Baum

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 104, relative to fireworks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-104-105, is amended by deleting subsection (b) and substituting:

(b)

(1) A person may sell fireworks in a municipality or county of this state unless the municipality or county passes an ordinance or law that prohibits or restricts the sale of fireworks in the municipality or county.

(2) Fireworks held for sale at retail within a municipality or county of this state where the sale or use of fireworks is prohibited are declared contraband and subject to confiscation.

(3) It is unlawful to ship into a municipality or county of this state for purposes of possession for sale at retail or to sell, fireworks if the municipality or county has declared that the sale or possession of the fireworks is an illegal act by an appropriate ordinance or law.

(4) The state fire marshal, or the fire marshal's designee, may inspect the location for each permit before a permit is issued to determine if the location meets the requirements of this chapter and reasonable safety standards for the storage and sale of fireworks. An applicant shall state on each application, and an issuer shall state on each permit, the exact mailing address and exact address where fireworks are to be sold. Inspection is not required for renewal of

permits at the same location to be operated by the same owner, unless there has occurred substantial structural use or environmental changes.

SECTION 2. Tennessee Code Annotated, Section 68-104-112, is amended by deleting subdivision (a)(4).

SECTION 3. Tennessee Code Annotated, Section 68-104-116, is amended by deleting the section and substituting:

This chapter does not affect the validity of a private act or city ordinance further prohibiting or restricting the sale or use of fireworks.

SECTION 4. This act takes effect July 1, 2023, the public welfare requiring it.