

HOUSE BILL REPORT

HB 1059

As Reported by House Committee On:
Local Government

Title: An act relating to fireworks prohibitions adopted by cities or counties.

Brief Description: Concerning fireworks prohibitions adopted by cities or counties.

Sponsors: Representatives Fitzgibbon, Cody, Kloba and Pollet.

Brief History:

Committee Activity:

Local Government: 1/20/21, 1/29/21 [DPS].

Brief Summary of Substitute Bill

- Makes the effective date of prohibitions on consumer fireworks adopted by cities or counties immediate.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 4 members: Representatives Pollet, Chair; Duerr, Vice Chair; Berg and Senn.

Minority Report: Do not pass. Signed by 3 members: Representatives Goehner, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Robertson.

Staff: Elizabeth Allison (786-7129).

Background:

Fireworks are legal in the State of Washington. Cities and counties must comply with statewide minimum standards regarding fireworks but are permitted to adopt ordinances that are more restrictive than minimum standards, including prohibitions on consumer

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fireworks. Ordinances that are more restrictive than state law, including prohibitions on consumer fireworks, do not take effect until one year after adoption.

Summary of Substitute Bill:

An ordinance enacting a prohibition on consumer fireworks takes effect within 90 days rather than one year after adoption. Counties and cities may immediately prohibit the use of consumer fireworks when doing so is necessitated by environmental conditions and other burning prohibitions are in effect. Old dates are removed.

Substitute Bill Compared to Original Bill:

City and county prohibitions on consumer fireworks go into effect 90 days after enactment, rather than immediately. Counties and cities may immediately prohibit the use of consumer fireworks when doing so is necessitated by environmental conditions and other burning prohibitions are in effect.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Fireworks are prohibited in Seattle and Burien, however, there is an unincorporated area where fireworks are legal. People come to communities within the unincorporated area to set off fireworks, which has been an issue of growing concern for residents, particularly for veterans and families with pets. There is a risk of danger from fireworks including property damage and injury. In the past, residents have lost their homes, pets, and family members. This is a matter of strong public safety concern. The community would like fireworks to be banned without having to wait a year to have it take effect. State law should not make communities that want to ban fireworks wait an entire year. Having the ability to limit or remove the use of fireworks is a great benefit for fire marshals because it helps prevent injuries and death.

(Opposed) Eliminating the one-year wait period does not allow for wholesalers and retailers, including nonprofit organizations, to adapt. Organizations can import and bring in products 12 months in advance, as well as secure property leases, tent rentals, and insurance. Events involve planning and huge expenses incurred well in advance. The loss

of commerce and revenue are hugely concerning and very detrimental to nonprofits and retailers selling fireworks in June or July. During COVID-19, selling fireworks is not an easy fundraiser to replace. The bill would not allow organizations to work with fire authorities at a local level, which has occurred for years. State law currently allows fireworks from June 28 to July 4. The benefit of the one-year waiting period for businesses is substantial because many businesses have already committed to ordering fireworks well in advance. Vendors that sell street level invest in the community by selling fireworks to provide for food drives and other needs. The bill is anti-business and anti-community. The one-year period is needed for businesses and organizations to make adjustments and shift to another product. The City of Shelton banned fireworks and told businesses 15 months in advance, which gave them plenty of time to make other arrangements. The bill would not truly solve the problem because people will still buy illegal fireworks.

Persons Testifying: (In support) Representative Fitzgibbon, prime sponsor; and Dave Kokot, Washington State Association of Fire Marshals.

(Opposed) Brent Pavlicek, Western Fireworks, Inc.; Jason Trout, American Promotional Events, Inc./TNT Fireworks; John Schrock, Hope 4 Spokane Church; Darrell Wheatley, Lee Grant Rogers Masons; Dee Chartier, Real American Pageant; and Troy Luginbill, Lynden Pioneer Museum.

Persons Signed In To Testify But Not Testifying: None.