

HOUSE BILL NO. 1255

Introduced by

Representatives Weisz, DeKrey

1 A BILL for an Act to amend and reenact subsection 2 of section 23-15-01 of the North Dakota
2 Century Code, relating to the sale of fireworks; and to declare an emergency.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 23-15-01 of the North Dakota Century
5 Code is amended and reenacted as follows:

- 6 2. Any person operating a retail business and who has a retail license as provided in
7 section 23-15-04 may offer for sale and sell at retail that year, to any individual who is
8 at least twelve years of age, only during the period June twenty-seventh through July
9 fifth, the following items:
- 10 a. A star light, with wood spike cemented in one end, total pyrotechnic composition
11 not to exceed twenty grams each in weight (10 ball). ~~However, a person may not~~
12 ~~offer to sell or offer to distribute a skyrocket, customarily known as a bottle rocket,~~
13 ~~if the outside diameter of the casing is less than five eighths inch [15.875-~~
14 ~~millimeters] and the length of the casing is less than three and one-half inches-~~
15 ~~[88.9 millimeters].~~
- 16 b. A helicopter type flyer, total pyrotechnic composition not to exceed twenty grams
17 each in weight.
- 18 c. A cylindrical fountain, total pyrotechnic composition not to exceed seventy-five
19 grams each in weight. The inside tube diameter may not exceed three-fourths
20 inch [19.05 millimeters].
- 21 d. A cone fountain, total pyrotechnic composition not to exceed fifty grams each in
22 weight.

- e. A wheel, total pyrotechnic composition not to exceed sixty grams in weight, for each driver unit, but there may be any number of drivers on any one wheel. The inside bore of a driver tube may not be over one-half inch [12.7 millimeters].
- f. An illuminating torch or a colored fire in any form, total pyrotechnic composition not to exceed one hundred grams each in weight.
- g. A sparkler or a dipped stick, total pyrotechnic composition not to exceed one hundred grams each in weight. Pyrotechnic composition containing any chlorate may not exceed five grams.
- h. A comet or shell, of which the mortar is an integral part, except a comet or shell designed to produce an audible effect, total pyrotechnic composition not to exceed forty grams each in weight.
- i. A soft shell firecracker not to exceed one and one-half inches [38.1 millimeters] in length and one-fourth inch [6.35 millimeters] in diameter, total pyrotechnic composition not to exceed fifty milligrams each in weight.
- j. A whistle without report, total pyrotechnic composition not to exceed forty grams each in weight.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure.