

Sixty-third
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1259

Introduced by

Representatives Thoreson, Boehning, Brabandt, Grande, Heilman, Kasper, B. Koppelman,
Owens, Porter, Ruby, Schatz

Senator Sorvaag

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 fireworks.

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~~periods of June twenty-seventh
9 through July fifth and December ~~twenty-ninth~~twenty-sixth through ~~December-~~
10 ~~thirty-first~~January first, the following items:
- 11 a. A star light, with wood spike cemented in one end, total pyrotechnic composition
12 not to exceed twenty grams each in weight (10 ball). However, a person may not
13 offer to sell or offer to distribute a skyrocket, customarily known as a bottle rocket,
14 if the outside diameter of the casing is less than five-eighths inch [15.875
15 millimeters] and the length of the casing is less than three and one-half inches
16 [88.9 millimeters].
- 17 b. A helicopter type flyer, total pyrotechnic composition not to exceed twenty grams
18 each in weight.
- 19 c. A cylindrical fountain, total pyrotechnic composition not to exceed seventy-five
20 grams each in weight. The inside tube diameter may not exceed three-fourths
21 inch [19.05 millimeters].
- 22 d. A cone fountain, total pyrotechnic composition not to exceed fifty grams each in
23 weight.

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