

**House File 396 - Introduced**

HOUSE FILE 396

BY GUSTOFF

**A BILL FOR**

1 An Act relating to the sale and use of consumer fireworks.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 100.19, subsection 4, paragraph c,  
2 subparagraphs (1) and (2), Code 2023, are amended to read as  
3 follows:

4 (1) At a permanent building that meets the requirements of  
5 paragraph "a", ~~between June 1 and July 8 and between December 10~~  
6 ~~and January 3 each year, all dates inclusive.~~

7 (2) At a temporary structure that meets the requirements of  
8 paragraph "a" ~~between June 13 and July 8 each year, both dates~~  
9 ~~inclusive.~~

10 Sec. 2. Section 727.2, subsection 4, Code 2023, is amended  
11 to read as follows:

12 4. *Limitations.*

13 a. A person shall not use or explode consumer fireworks on  
14 days other than June 1 through July 8, the general election  
15 on the first Tuesday after the first Monday in November of  
16 even-numbered years, and December 10 through January 3 of each  
17 year, all dates inclusive.

18 b. A person shall not use or explode consumer fireworks at  
19 times other than between the hours of 9:00 a.m. and 10:00 p.m.,  
20 except that on the following dates consumer fireworks shall not  
21 be used at times other than between the hours specified:

22 (1) Between the hours of 9:00 a.m. and 11:00 p.m. on July  
23 4 and the Saturdays and Sundays immediately preceding and  
24 following July 4.

25 (2) Between the hours of 9:00 a.m. and 10:00 p.m. on the  
26 date of the general election on the first Tuesday after the  
27 first Monday in November of even-numbered years.

28 ~~(2)~~ (3) Between the hours of 9:00 a.m. on December 31 and  
29 12:30 a.m. on the immediately following day.

30 ~~(3)~~ (4) Between the hours of 9:00 a.m. and 11:00 p.m. on  
31 the Saturdays and Sundays immediately preceding and following  
32 December 31.

33 c. A person shall not use consumer fireworks on real  
34 property other than that person's real property or on the real  
35 property of a person who has consented to the use of consumer

1 fireworks on that property.

2 *d.* A person who violates **this subsection** commits a simple  
3 misdemeanor. A court shall not order imprisonment for  
4 violation of **this subsection**.

5

EXPLANATION

6

The inclusion of this explanation does not constitute agreement with  
7 the explanation's substance by the members of the general assembly.

7

8 The bill relates to limitations on the sale and use of  
9 consumer fireworks.

10 The bill allows for consumer fireworks to be sold at any time  
11 throughout the year. Current law prohibits the sale of such  
12 fireworks in the state on dates other than between June 1 and  
13 July 8 and between December 10 and January 3 for a permanent  
14 structure and between June 13 and July 8 for a temporary  
15 structure.

16 The bill allows for the use or explosion of consumer  
17 fireworks on the date of the general election, or the first  
18 Tuesday after the first Monday in November of even-numbered  
19 years, between the hours of 9:00 a.m. and 10:00 p.m.