SENATE FILE 303
BY  COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 1104)

## A BILL FOR

1 An Act relating to county and city regulation of consumer
2    fireworks.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1    Section 1.  Section 331.301, subsection 17, Code 2025, is
2 amended to read as follows:
3    17.  The board of supervisors may by ordinance or resolution
4 prohibit or limit the use of consumer fireworks or display
5 fireworks, as described in section 727.2, on any day other than
6 July 3, July 4, and December 31 in accordance with section 727.2,
7 subsection 4, if the board determines that the use of such
8 devices would constitute a threat to public safety or private
9 property, or if the board determines that the use of such devices
10 would constitute a nuisance to neighboring landowners.
11    Sec. 2.  Section 364.2, subsection 6, Code 2025, is amended to
12 read as follows:
13    6.  A city council may by ordinance or resolution prohibit
14 or limit the use of consumer fireworks, display fireworks, or
15 novelties, as described in section 727.2, on any day other than
16 July 3, July 4, and December 31 in accordance with section 727.2,
17 subsection 4.
18                          EXPLANATION
19          The inclusion of this explanation does not constitute agreement with
20           the explanation's substance by the members of the general assembly.
21    This bill relates to consumer fireworks.
22    Under current law, Code section 727.2 provides that a person
23 shall not use or explode consumer fireworks on days other
24 than June 1 through July 8 and December 10 through January 3
25 between the hours of 9:00 a.m. and 10:00 p.m. with the following
26 exceptions:  on July 4 and the Saturdays and Sundays immediately
27 preceding and following July 4, between the hours of 9:00
28 a.m. and 11:00 p.m.; on December 31 between the hours of 9:00
29 a.m. and 12:30 a.m. on January 1; and between the hours of 9:00
30 a.m. and 11:00 p.m. on the Saturdays and Sundays immediately
31 preceding and following December 31.
32    Under current law, a board of supervisors or city council may
33 by ordinance or resolution prohibit or limit the use of consumer
34 fireworks, display fireworks, or novelties, as described in Code
35 section 727.2.  A board of supervisors must first determine

1 that the use would constitute a threat to public safety or
2 private property or a nuisance to neighboring landowners.  No
3 such determination is required by a city council.
4    The bill prohibits a board of supervisors or city council from
5 restricting or limiting the use of consumer fireworks, display
6 fireworks, or novelties, as described in Code section 727.2, on
7 July 3, July 4, or December 31 in accordance with Code section
8 727.2(4).
9    A person who violates Code section 727.2 commits a simple
10 misdemeanor.