



## MEMORANDUM

To: House Government Accountability and Oversight Committee  
From: Representative Bill Seitz, Representative Martin Sweeney  
Date: November 29, 2017  
Re: HB 226 Sponsor Testimony

---

Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni, and members of the Senate Government Oversight and Reform Committee, thank you for allowing us to offer sponsor testimony on amended HB 226.

Are you tired of being complicit in state law that makes liars out of thousands of Ohioans who can purchase consumer-grade fireworks in Ohio only if they attest that they will be discharged out of state? We are. Do you agree we need a comprehensive review of Ohio fireworks laws to promote safety, preserve local control, and promote regulated competition, rather than simply extending the current moratorium on new licenses to make and sell fireworks in Ohio? We hope so. Representative Sweeney and I present to you today a piece of legislation that is made up of two parts:

1. Beginning July 1, 2020, the moratorium on firework licenses, that has been in place for over two decades, will be terminated.
2. A Fireworks Study Group will be created immediately that will review several key aspects of the fireworks industry and their relationship with the state and issues its recommendations on or before July 1, 2019. This study group will include members from the General Assembly, the State Fire Marshal, two local fire chiefs, a local police chief, members from the State Pyrotechnics Association, a member of Prevent Blindness Ohio, a member of the Ohio Optometric Association, a member of the Ohio Pyrotechnic Arts Guild, and a member from the Ohio Chapter of the American Academy of Pediatrics.

One important piece of this legislation is that should the legislature fail to act on the Study Group's recommendations by July 1, 2020, then the language from SB 386 of the 130<sup>th</sup> General Assembly will be enacted effective that date. SB 386 is the same bill that passed the Senate by a 22-7 vote in 2014, and ran out of time to be enacted in the House.

That legislation preserved local control over the discharging of fireworks, stepped up safety requirements, directed an end to the moratorium, charged the Fire Marshal with the task of developing rules for new fireworks retail operations and dispensed with the “liars form” under which Ohioans had to swear not to discharge fireworks in Ohio in order to buy fireworks in Ohio.

This October, the House passed HB 226 by an overwhelming vote of 83 to 14. After passage of the bill, the Department of Taxation came to me regarding the proposed fee in HB 226. This fee was part of SB 386 when the Ohio Senate passed it, but Taxation believes it needs to be tweaked to ensure we remain in compliance with the Streamline Sales Tax Compact, to which Ohio is party. We are working to have the fee administered by the Department of Commerce at the request of the Department of Taxation, and we hope you will take that amendment.

Thank you again, for allowing us to present sponsor testimony on amended HB 226, and we are happy to answer any questions you may have.