

As Introduced

133rd General Assembly

Regular Session

2019-2020

S. B. No. 72

Senator Burke

Cosponsors: Senators Rulli, Huffman, M.

A BILL

To amend sections 3743.04, 3743.08, 3743.17, 1
3743.21, 3743.25, 3743.44, 3743.45, 3743.57, 2
3743.60, 3743.61, 3743.63, 3743.65, 3743.75, 3
3743.99, and 5703.21 and to enact sections 4
3743.22, 3743.46, 3743.47, 3743.591, and 3743.67 5
of the Revised Code to revise the Fireworks Law. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3743.04, 3743.08, 3743.17, 7
3743.21, 3743.25, 3743.44, 3743.45, 3743.57, 3743.60, 3743.61, 8
3743.63, 3743.65, 3743.75, 3743.99, and 5703.21 be amended and 9
sections 3743.22, 3743.46, 3743.47, 3743.591, and 3743.67 of the 10
Revised Code be enacted to read as follows: 11

Sec. 3743.04. (A) The license of a manufacturer of 12
fireworks is effective for one year beginning on the first day 13
of December. The state fire marshal shall issue or renew a 14
license only on that date and at no other time. If a 15
manufacturer of fireworks wishes to continue manufacturing 16
fireworks at the designated fireworks plant after its then 17
effective license expires, it shall apply no later than the 18

first day of October for a new license pursuant to section 19
3743.02 of the Revised Code. The state fire marshal shall send a 20
written notice of the expiration of its license to a licensed 21
manufacturer at least three months before the expiration date. 22

(B) If, during the effective period of its licensure, a 23
licensed manufacturer of fireworks wishes to construct, locate, 24
or relocate any buildings or other structures on the premises of 25
its fireworks plant, to make any structural change or renovation 26
in any building or other structure on the premises of its 27
fireworks plant, or to change the nature of its manufacturing of 28
fireworks so as to include the processing of fireworks, the 29
manufacturer shall notify the state fire marshal in writing. The 30
state fire marshal may require a licensed manufacturer also to 31
submit documentation, including, but not limited to, plans 32
covering the proposed construction, location, relocation, 33
structural change or renovation, or change in manufacturing of 34
fireworks, if the state fire marshal determines the 35
documentation is necessary for evaluation purposes in light of 36
the proposed construction, location, relocation, structural 37
change or renovation, or change in manufacturing of fireworks. 38

Upon receipt of the notification and additional 39
documentation required by the state fire marshal, the state fire 40
marshal shall inspect the premises of the fireworks plant to 41
determine if the proposed construction, location, relocation, 42
structural change or renovation, or change in manufacturing of 43
fireworks conforms to sections 3743.02 to 3743.08 of the Revised 44
Code and the rules adopted by the state fire marshal pursuant to 45
section 3743.05 of the Revised Code. The state fire marshal 46
shall issue a written authorization to the manufacturer for the 47
construction, location, relocation, structural change or 48
renovation, or change in manufacturing of fireworks if the state 49

fire marshal determines, upon the inspection and a review of 50
submitted documentation, that the construction, location, 51
relocation, structural change or renovation, or change in 52
manufacturing of fireworks conforms to those sections and rules. 53
Upon authorizing a change in manufacturing of fireworks to 54
include the processing of fireworks, the state fire marshal 55
shall make notations on the manufacturer's license and in the 56
list of licensed manufacturers in accordance with section 57
3743.03 of the Revised Code. 58

On or before June 1, 1998, a licensed manufacturer shall 59
install, in every licensed building in which fireworks are 60
manufactured, stored, or displayed and to which the public has 61
access, interlinked fire detection, smoke exhaust, and smoke 62
evacuation systems that are approved by the superintendent of 63
industrial compliance, and shall comply with floor plans showing 64
occupancy load limits and internal circulation and egress 65
patterns that are approved by the state fire marshal and 66
superintendent, and that are submitted under seal as required by 67
section 3791.04 of the Revised Code. Notwithstanding section 68
3743.59 of the Revised Code, the construction and safety 69
requirements established in this division are not subject to any 70
variance, waiver, or exclusion. 71

(C) The license of a manufacturer of fireworks authorizes 72
the manufacturer to engage only in the following activities: 73

(1) The manufacturing of fireworks on the premises of the 74
fireworks plant as described in the application for licensure or 75
in the notification submitted under division (B) of this 76
section, except that a licensed manufacturer shall not engage in 77
the processing of fireworks unless authorized to do so by its 78
license. 79

(2) To possess for sale at wholesale and sell at wholesale 80
the fireworks manufactured by the manufacturer, to persons who 81
are licensed wholesalers of fireworks, to ~~out-of-state residents~~ 82
persons in accordance with ~~section~~ sections 3743.44 of the 83
~~Revised Code, to residents of this state in accordance with~~ 84
~~section 3743.45 to 3743.46~~ of the Revised Code, or to persons 85
located in another state provided the fireworks are shipped 86
directly out of this state to them by the manufacturer. A person 87
who is licensed as a manufacturer of fireworks on June 14, 1988, 88
also may possess for sale and sell pursuant to division (C) (2) 89
of this section fireworks other than those the person 90
manufactures. The possession for sale shall be on the premises 91
of the fireworks plant described in the application for 92
licensure or in the notification submitted under division (B) of 93
this section, and the sale shall be from the inside of a 94
licensed building and from no other structure or device outside 95
a licensed building. At no time shall a licensed manufacturer 96
sell any class of fireworks outside a licensed building. 97

(3) Possess for sale at retail and sell at retail the 98
fireworks manufactured by the manufacturer, other than 1.4G 99
fireworks as designated by the state fire marshal in rules 100
adopted pursuant to division (A) of section 3743.05 of the 101
Revised Code, to licensed exhibitors in accordance with sections 102
3743.50 to 3743.55 of the Revised Code, and possess for sale at 103
retail and sell at retail the fireworks manufactured by the 104
manufacturer, including 1.4G fireworks, to ~~out-of-state~~ 105
~~residents~~ persons in accordance with ~~section~~ sections 3743.44 of 106
the Revised Code, to ~~residents of this state in accordance with~~ 107
~~section 3743.45 to 3743.46~~ of the Revised Code, or to persons 108
located in another state provided the fireworks are shipped 109
directly out of this state to them by the manufacturer. A person 110

who is licensed as a manufacturer of fireworks on June 14, 1988, 111
may also possess for sale and sell pursuant to division (C) (3) 112
of this section fireworks other than those the person 113
manufactures. The possession for sale shall be on the premises 114
of the fireworks plant described in the application for 115
licensure or in the notification submitted under division (B) of 116
this section, and the sale shall be from the inside of a 117
licensed building and from no other structure or device outside 118
a licensed building. At no time shall a licensed manufacturer 119
sell any class of fireworks outside a licensed building. 120

A licensed manufacturer of fireworks shall sell under 121
division (C) of this section only fireworks that meet the 122
standards set by the consumer product safety commission or by 123
the American fireworks standard laboratories or that have 124
received an EX number from the United States department of 125
transportation. 126

(D) The license of a manufacturer of fireworks shall be 127
protected under glass and posted in a conspicuous place on the 128
premises of the fireworks plant. Except as otherwise provided in 129
this division, the license is not transferable or assignable. A 130
license may be transferred to another person for the same 131
fireworks plant for which the license was issued if the assets 132
of the plant are transferred to that person by inheritance or by 133
a sale approved by the state fire marshal. The license is 134
subject to revocation in accordance with section 3743.08 of the 135
Revised Code. 136

(E) The state fire marshal shall not place the license of 137
a manufacturer of fireworks in a temporarily inactive status 138
while the holder of the license is attempting to qualify to 139
retain the license. 140

(F) Each licensed manufacturer of fireworks that possesses 141
fireworks for sale and sells fireworks under division (C) of 142
section 3743.04 of the Revised Code, or a designee of the 143
manufacturer, whose identity is provided to the state fire 144
marshal by the manufacturer, annually shall attend a continuing 145
education program. The state fire marshal shall develop the 146
program and the state fire marshal or a person or public agency 147
approved by the state fire marshal shall conduct it. A licensed 148
manufacturer or the manufacturer's designee who attends a 149
program as required under this division, within one year after 150
attending the program, shall conduct in-service training as 151
approved by the state fire marshal for other employees of the 152
licensed manufacturer regarding the information obtained in the 153
program. A licensed manufacturer shall provide the state fire 154
marshal with notice of the date, time, and place of all in- 155
service training. For any program conducted under this division, 156
the state fire marshal shall, in accordance with rules adopted 157
by the state fire marshal under Chapter 119. of the Revised 158
Code, establish the subjects to be taught, the length of 159
classes, the standards for approval, and time periods for 160
notification by the licensee to the state fire marshal of any 161
in-service training. 162

(G) A licensed manufacturer shall maintain comprehensive 163
general liability insurance coverage in the amount and type 164
specified under division (B) (2) of section 3743.02 of the 165
Revised Code at all times. Each policy of insurance required 166
under this division shall contain a provision requiring the 167
insurer to give not less than fifteen days' prior written notice 168
to the state fire marshal before termination, lapse, or 169
cancellation of the policy, or any change in the policy that 170
reduces the coverage below the minimum required under this 171

division. Prior to canceling or reducing the amount of coverage 172
of any comprehensive general liability insurance coverage 173
required under this division, a licensed manufacturer shall 174
secure supplemental insurance in an amount and type that 175
satisfies the requirements of this division so that no lapse in 176
coverage occurs at any time. A licensed manufacturer who secures 177
supplemental insurance shall file evidence of the supplemental 178
insurance with the state fire marshal prior to canceling or 179
reducing the amount of coverage of any comprehensive general 180
liability insurance coverage required under this division. 181

(H) The state fire marshal shall adopt rules for the 182
expansion or contraction of a licensed premises and for approval 183
of such expansions or contractions. The boundaries of a licensed 184
premises, including any geographic expansion or contraction of 185
those boundaries, shall be approved by the state fire marshal in 186
accordance with rules the state fire marshal adopts. If the 187
licensed premises consists of more than one parcel of real 188
estate, those parcels shall be contiguous unless an exception is 189
allowed pursuant to division (I) of this section. 190

(I) (1) A licensed manufacturer may expand its licensed 191
premises within this state to include not more than two storage 192
locations that are located upon one or more real estate parcels 193
that are noncontiguous to the licensed premises as that licensed 194
premises exists on the date a licensee submits an application as 195
described below, if all of the following apply: 196

(a) The licensee submits an application to the state fire 197
marshal and an application fee of one hundred dollars per 198
storage location for which the licensee is requesting approval. 199

(b) The identity of the holder of the license remains the 200
same at the storage location. 201

(c) The storage location has received a valid certificate 202
of zoning compliance as applicable and a valid certificate of 203
occupancy for each building or structure at the storage location 204
issued by the authority having jurisdiction to issue the 205
certificate for the storage location, and those certificates 206
permit the distribution and storage of fireworks regulated under 207
this chapter at the storage location and in the buildings or 208
structures. The storage location shall be in compliance with all 209
other applicable federal, state, and local laws and regulations. 210

(d) Every building or structure located upon the storage 211
location is separated from occupied residential and 212
nonresidential buildings or structures, railroads, highways, or 213
any other buildings or structures on the licensed premises in 214
accordance with the distances specified in the rules adopted by 215
the state fire marshal pursuant to section 3743.05 of the 216
Revised Code. 217

(e) Neither the licensee nor any person holding, owning, 218
or controlling a five per cent or greater beneficial or equity 219
interest in the licensee has been convicted of or pleaded guilty 220
to a felony under the laws of this state, any other state, or 221
the United States, after September 29, 2005. 222

(f) The state fire marshal approves the application for 223
expansion. 224

(2) The state fire marshal shall approve an application 225
for expansion requested under division (I)(1) of this section if 226
the state fire marshal receives the application fee and proof 227
that the requirements of divisions (I)(1)(b) to (e) of this 228
section are satisfied. The storage location shall be considered 229
part of the original licensed premises and shall use the same 230
distinct number assigned to the original licensed premises with 231

any additional designations as the state fire marshal deems 232
necessary in accordance with section 3743.03 of the Revised 233
Code. 234

(J) (1) A licensee who obtains approval for the use of a 235
storage location in accordance with division (I) of this section 236
shall use the storage location exclusively for the following 237
activities, in accordance with division (C) of this section: 238

(a) The packaging, assembling, or storing of fireworks, 239
which shall only occur in buildings or structures approved for 240
such hazardous uses by the building code official having 241
jurisdiction for the storage location or, for 1.4G fireworks, in 242
containers or trailers approved for such hazardous uses by the 243
state fire marshal if such containers or trailers are not 244
subject to regulation by the building code adopted in accordance 245
with Chapter 3781. of the Revised Code. All such storage shall 246
be in accordance with the rules adopted by the state fire 247
marshal under division (G) of section 3743.05 of the Revised 248
Code for the packaging, assembling, and storage of fireworks. 249

(b) Distributing fireworks to other parcels of real estate 250
located on the manufacturer's licensed premises, to licensed 251
wholesalers or other licensed manufacturers in this state or to 252
similarly licensed persons located in another state or country; 253

(c) Distributing fireworks to a licensed exhibitor of 254
fireworks pursuant to a properly issued permit in accordance 255
with section 3743.54 of the Revised Code. 256

(2) A licensed manufacturer shall not engage in any sales 257
activity, including the retail sale of fireworks otherwise 258
permitted under division (C) (2) or (C) (3) of this section, or 259
pursuant to section 3743.44 or 3743.45 of the Revised Code, at 260

the storage location approved under this section. 261

(3) A storage location may not be relocated for a minimum 262
period of five years after the storage location is approved by 263
the state fire marshal in accordance with division (I) of this 264
section. 265

(K) The licensee shall prohibit public access to the 266
storage location. The state fire marshal shall adopt rules to 267
describe the acceptable measures a manufacturer shall use to 268
prohibit access to the storage site. 269

Sec. 3743.08. (A) The state fire marshal may inspect the 270
premises of a fireworks plant, and the inventory, wholesale 271
sale, and retail sale records, of a licensed manufacturer of 272
fireworks during the manufacturer's period of licensure to 273
determine whether the manufacturer is in compliance with Chapter 274
3743. of the Revised Code and the rules adopted by the state 275
fire marshal pursuant to section 3743.05 or 3743.22 of the 276
Revised Code. 277

(B) If the state fire marshal determines during an 278
inspection conducted pursuant to division (A) of this section 279
that a manufacturer is not in compliance with Chapter 3743. of 280
the Revised Code or the rules adopted by the state fire marshal 281
pursuant to section 3743.05 or 3743.22 of the Revised Code, the 282
state fire marshal may take one or more of the following 283
actions, whichever the state fire marshal considers appropriate 284
under the circumstances: 285

(1) Order, in writing, the manufacturer to eliminate, 286
correct, or otherwise remedy the nonconformities within a 287
specified period of time; 288

(2) Order, in writing, the manufacturer to immediately 289

cease its operations, if a fire or explosion hazard exists that 290
reasonably can be regarded as posing an imminent danger of death 291
or serious physical harm to persons. The order shall be 292
effective until the nonconformities are eliminated, corrected, 293
or otherwise remedied or for a period of seventy-two hours from 294
the time of issuance, whichever first occurs. During the 295
seventy-two hour period, the state fire marshal may obtain from 296
the court of common pleas of Franklin county or of the county in 297
which the fireworks plant is located an injunction restraining 298
the manufacturer from continuing its operations after the 299
seventy-two hour period expires until the nonconformities are 300
eliminated, corrected, or otherwise remedied. 301

(3) Revoke or deny renewal of the license of the 302
manufacturer in accordance with Chapter 119. of the Revised 303
Code; 304

(4) Take action as authorized by section 3743.68 of the 305
Revised Code. 306

(C) This section does not affect the authority conferred 307
by Chapters 3781. and 3791. of the Revised Code to conduct 308
inspections to determine conformity with those chapters or the 309
rules adopted pursuant to them. 310

(D) If the license of a manufacturer of fireworks is 311
revoked or renewal is denied pursuant to division (B) (3) of this 312
section or section 3743.70 of the Revised Code, the manufacturer 313
shall cease its operations immediately. The manufacturer may not 314
reapply for licensure as a manufacturer of fireworks until two 315
years expire from the date of revocation. 316

The state fire marshal shall remove from the list of 317
licensed manufacturers the name of a manufacturer whose license 318

has been revoked, and shall notify the law enforcement 319
authorities for the political subdivision in which the 320
manufacturer's fireworks plant is located, of the revocation or 321
denial of renewal. 322

Sec. 3743.17. (A) The license of a wholesaler of fireworks 323
is effective for one year beginning on the first day of 324
December. The state fire marshal shall issue or renew a license 325
only on that date and at no other time. If a wholesaler of 326
fireworks wishes to continue engaging in the wholesale sale of 327
fireworks at the particular location after its then effective 328
license expires, it shall apply not later than the first day of 329
October for a new license pursuant to section 3743.15 of the 330
Revised Code. The state fire marshal shall send a written notice 331
of the expiration of its license to a licensed wholesaler at 332
least three months before the expiration date. 333

(B) If, during the effective period of its licensure, a 334
licensed wholesaler of fireworks wishes to perform any 335
construction, or make any structural change or renovation, on 336
the premises on which the fireworks are sold, the wholesaler 337
shall notify the state fire marshal in writing. The state fire 338
marshal may require a licensed wholesaler also to submit 339
documentation, including, but not limited to, plans covering the 340
proposed construction or structural change or renovation, if the 341
state fire marshal determines the documentation is necessary for 342
evaluation purposes in light of the proposed construction or 343
structural change or renovation. 344

Upon receipt of the notification and additional 345
documentation required by the state fire marshal, the state fire 346
marshal shall inspect the premises on which the fireworks are 347
sold to determine if the proposed construction or structural 348

change or renovation conforms to sections 3743.15 to 3743.21 of 349
the Revised Code and the rules adopted by the state fire marshal 350
pursuant to section 3743.18 of the Revised Code. The state fire 351
marshal shall issue a written authorization to the wholesaler 352
for the construction or structural change or renovation if the 353
state fire marshal determines, upon the inspection and a review 354
of submitted documentation, that the construction or structural 355
change or renovation conforms to those sections and rules. 356

(C) The license of a wholesaler of fireworks authorizes 357
the wholesaler to engage only in the following activities: 358

(1) Possess for sale at wholesale and sell at wholesale 359
fireworks to persons who are licensed wholesalers of fireworks, 360
to ~~out of state residents~~ persons in accordance with ~~section~~ 361
sections 3743.44 of the Revised Code, ~~to residents of this state~~ 362
~~in accordance with section 3743.45 to 3743.46~~ of the Revised 363
Code, or to persons located in another state provided the 364
fireworks are shipped directly out of this state to them by the 365
wholesaler. The possession for sale shall be at the location 366
described in the application for licensure or in the 367
notification submitted under division (B) of this section, and 368
the sale shall be from the inside of a licensed building and 369
from no structure or device outside a licensed building. At no 370
time shall a licensed wholesaler sell any class of fireworks 371
outside a licensed building. 372

(2) Possess for sale at retail and sell at retail 373
fireworks, other than 1.4G fireworks as designated by the state 374
fire marshal in rules adopted pursuant to division (A) of 375
section 3743.05 of the Revised Code, to licensed exhibitors in 376
accordance with sections 3743.50 to 3743.55 of the Revised Code, 377
and possess for sale at retail and sell at retail fireworks, 378

including 1.4G fireworks, to ~~out of state residents~~ persons in 379
accordance with ~~section sections 3743.44 of the Revised Code, to~~ 380
~~residents of this state in accordance with section 3743.45 to~~ 381
3743.46 of the Revised Code, or to persons located in another 382
state provided the fireworks are shipped directly out of this 383
state to them by the wholesaler. The possession for sale shall 384
be at the location described in the application for licensure or 385
in the notification submitted under division (B) of this 386
section, and the sale shall be from the inside of the licensed 387
building and from no other structure or device outside this 388
licensed building. At no time shall a licensed wholesaler sell 389
any class of fireworks outside a licensed building. 390

A licensed wholesaler of fireworks shall sell under 391
division (C) of this section only fireworks that meet the 392
standards set by the consumer product safety commission or by 393
the American fireworks standard laboratories or that have 394
received an EX number from the United States department of 395
transportation. 396

(D) The license of a wholesaler of fireworks shall be 397
protected under glass and posted in a conspicuous place at the 398
location described in the application for licensure or in the 399
notification submitted under division (B) of this section. 400
Except as otherwise provided in this section, the license is not 401
transferable or assignable. A license may be transferred to 402
another person for the same location for which the license was 403
issued if the assets of the wholesaler are transferred to that 404
person by inheritance or by a sale approved by the state fire 405
marshal. The license is subject to revocation in accordance with 406
section 3743.21 of the Revised Code. 407

(E) The state fire marshal shall adopt rules for the 408

expansion or contraction of a licensed premises and for the 409
approval of an expansion or contraction. The boundaries of a 410
licensed premises, including any geographic expansion or 411
contraction of those boundaries, shall be approved by the state 412
fire marshal in accordance with rules the state fire marshal 413
adopts. If the licensed premises of a licensed wholesaler from 414
which the wholesaler operates consists of more than one parcel 415
of real estate, those parcels must be contiguous, unless an 416
exception is allowed pursuant to division (G) of this section. 417

(F) (1) Upon application by a licensed wholesaler of 418
fireworks, a wholesaler license may be transferred from one 419
geographic location to another within the same municipal 420
corporation or within the unincorporated area of the same 421
township, ~~but only~~ if all of the following apply: 422

(a) The identity of the holder of the license remains the 423
same in the new location. 424

(b) The former location is closed prior to the opening of 425
the new location and no fireworks business of any kind is 426
conducted at the former location after the transfer of the 427
license. 428

(c) The new location has received a local certificate of 429
zoning compliance and a local certificate of occupancy, and 430
otherwise is in compliance with all local building regulations. 431

(d) Every building or structure at the new location is 432
separated from occupied residential and nonresidential buildings 433
or structures, railroads, highways, or any other buildings or 434
structures located on the licensed premises in accordance with 435
the distances specified in the rules adopted by the state fire 436
marshal pursuant to section 3743.18 of the Revised Code. If the 437

licensee fails to comply with the requirements of division (F) 438
(1) (d) of this section by the licensee's own act, the license at 439
the new location is forfeited. 440

(e) Neither the licensee nor any person holding, owning, 441
or controlling a five per cent or greater beneficial or equity 442
interest in the licensee has been convicted of or has pleaded 443
guilty to a felony under the laws of this state, any other 444
state, or the United States after June 30, 1997. 445

(f) The state fire marshal approves the request for the 446
transfer. 447

(2) The new location shall comply with the requirements 448
specified in divisions (C) (1) and (2) of section 3743.25 of the 449
Revised Code whether or not the fireworks showroom at the new 450
location is constructed, expanded, or first begins operating on 451
and after June 30, 1997. 452

(G) (1) A licensed wholesaler may expand its licensed 453
premises within this state to include not more than two storage 454
locations that are located upon one or more real estate parcels 455
that are noncontiguous to the licensed premises as that licensed 456
premises exists on the date a licensee submits an application as 457
described below, if all of the following apply: 458

(a) The licensee submits an application to the state fire 459
marshal requesting the expansion and an application fee of one 460
hundred dollars per storage location for which the licensee is 461
requesting approval. 462

(b) The identity of the holder of the license remains the 463
same at the storage location. 464

(c) The storage location has received a valid certificate 465
of zoning compliance, as applicable, and a valid certificate of 466

occupancy for each building or structure at the storage location 467
issued by the authority having jurisdiction to issue the 468
certificate for the storage location, and those certificates 469
permit the distribution and storage of fireworks regulated under 470
this chapter at the storage location and in the buildings or 471
structures. The storage location shall be in compliance with all 472
other applicable federal, state, and local laws and regulations. 473

(d) Every building or structure located upon the storage 474
location is separated from occupied residential and 475
nonresidential buildings or structures, railroads, highways, and 476
any other buildings or structures on the licensed premises in 477
accordance with the distances specified in the rules adopted by 478
the state fire marshal pursuant to section 3743.18 of the 479
Revised Code. 480

(e) Neither the licensee nor any person holding, owning, 481
or controlling a five per cent or greater beneficial or equity 482
interest in the licensee has been convicted of or pleaded guilty 483
to a felony under the laws of this state, any other state, or 484
the United States, after September 29, 2005. 485

(f) The state fire marshal approves the application for 486
expansion. 487

(2) The state fire marshal shall approve an application 488
for expansion requested under division (G)(1) of this section if 489
the state fire marshal receives the application fee and proof 490
that the requirements of divisions (G)(1)(b) to (e) of this 491
section are satisfied. The storage location shall be considered 492
part of the original licensed premises and shall use the same 493
distinct number assigned to the original licensed premises with 494
any additional designations as the state fire marshal deems 495
necessary in accordance with section 3743.16 of the Revised 496

Code.	497
(H) (1) A licensee who obtains approval for use of a	498
storage location in accordance with division (G) of this section	499
shall use the site exclusively for the following activities, in	500
accordance with division (C) (1) of this section:	501
(a) Packaging, assembling, or storing fireworks, which	502
shall occur only in buildings or structures approved for such	503
hazardous uses by the building code official having jurisdiction	504
for the storage location or, for 1.4G fireworks, in containers	505
or trailers approved for such hazardous uses by the <u>state fire</u>	506
marshal if such containers or trailers are not subject to	507
regulation by the building code adopted in accordance with	508
Chapter 3781. of the Revised Code. All such storage shall be in	509
accordance with the rules adopted by the <u>state fire</u> marshal	510
under division (B) (4) of section 3743.18 of the Revised Code for	511
the packaging, assembling, and storage of fireworks.	512
(b) Distributing fireworks to other parcels of real estate	513
located on the wholesaler's licensed premises, to licensed	514
manufacturers or other licensed wholesalers in this state or to	515
similarly licensed persons located in another state or country;	516
(c) Distributing fireworks to a licensed exhibitor of	517
fireworks pursuant to a properly issued permit in accordance	518
with section 3743.54 of the Revised Code.	519
(2) A licensed wholesaler shall not engage in any sales	520
activity, including the retail sale of fireworks otherwise	521
permitted under division (C) (2) of this section or pursuant to	522
section 3743.44 or 3743.45 of the Revised Code, at a storage	523
location approved under this section.	524
(3) A storage location may not be relocated for a minimum	525

period of five years after the storage location is approved by 526
the state fire marshal in accordance with division (G) of this 527
section. 528

(I) A licensee shall prohibit public access to all storage 529
locations it uses. The state fire marshal shall adopt rules 530
establishing acceptable measures a wholesaler shall use to 531
prohibit access to storage sites. 532

(J) The state fire marshal shall not place the license of 533
a wholesaler of fireworks in temporarily inactive status while 534
the holder of the license is attempting to qualify to retain the 535
license. 536

(K) Each licensed wholesaler of fireworks or a designee of 537
the wholesaler, whose identity is provided to the state fire 538
marshal by the wholesaler, annually shall attend a continuing 539
education program. The state fire marshal shall develop the 540
program and the state fire marshal or a person or public agency 541
approved by the state fire marshal shall conduct it. A licensed 542
wholesaler or the wholesaler's designee who attends a program as 543
required under this division, within one year after attending 544
the program, shall conduct in-service training as approved by 545
the state fire marshal for other employees of the licensed 546
wholesaler regarding the information obtained in the program. A 547
licensed wholesaler shall provide the state fire marshal with 548
notice of the date, time, and place of all in-service training. 549
For any program conducted under this division, the state fire 550
marshal shall, in accordance with rules adopted by the state 551
fire marshal under Chapter 119. of the Revised Code, establish 552
the subjects to be taught, the length of classes, the standards 553
for approval, and time periods for notification by the licensee 554
to the state fire marshal of any in-service training. 555

(L) A licensed wholesaler shall maintain comprehensive 556
general liability insurance coverage in the amount and type 557
specified under division (B) (2) of section 3743.15 of the 558
Revised Code at all times. Each policy of insurance required 559
under this division shall contain a provision requiring the 560
insurer to give not less than fifteen days' prior written notice 561
to the state fire marshal before termination, lapse, or 562
cancellation of the policy, or any change in the policy that 563
reduces the coverage below the minimum required under this 564
division. Prior to canceling or reducing the amount of coverage 565
of any comprehensive general liability insurance coverage 566
required under this division, a licensed wholesaler shall secure 567
supplemental insurance in an amount and type that satisfies the 568
requirements of this division so that no lapse in coverage 569
occurs at any time. A licensed wholesaler who secures 570
supplemental insurance shall file evidence of the supplemental 571
insurance with the state fire marshal prior to canceling or 572
reducing the amount of coverage of any comprehensive general 573
liability insurance coverage required under this division. 574

Sec. 3743.21. (A) The state fire marshal may inspect the 575
premises, and the inventory, wholesale sale, and retail sale 576
records, of a licensed wholesaler of fireworks during the 577
wholesaler's period of licensure to determine whether the 578
wholesaler is in compliance with Chapter 3743. of the Revised 579
Code and the rules adopted by the state fire marshal pursuant to 580
section 3743.18 or 3743.22 of the Revised Code. 581

(B) If the state fire marshal determines during an 582
inspection conducted pursuant to division (A) of this section 583
that a wholesaler is not in compliance with Chapter 3743. of the 584
Revised Code or the rules adopted by the state fire marshal 585
pursuant to section 3743.18 or 3743.22 of the Revised Code, the 586

state fire marshal may take one or more of the following 587
actions, whichever the state fire marshal considers appropriate 588
under the circumstances: 589

(1) Order, in writing, the wholesaler to eliminate, 590
correct, or otherwise remedy the nonconformities within a 591
specified period of time; 592

(2) Order, in writing, the wholesaler to immediately cease 593
its operations, if a fire or explosion hazard exists that 594
reasonably can be regarded as posing an imminent danger of death 595
or serious physical harm to persons. The order shall be 596
effective until the nonconformities are eliminated, corrected, 597
or otherwise remedied or for a period of seventy-two hours from 598
the time of issuance, whichever first occurs. During the 599
seventy-two hour period, the state fire marshal may obtain from 600
the court of common pleas of Franklin county or of the county in 601
which the premises of the wholesaler are located an injunction 602
restraining the wholesaler from continuing its operations after 603
the seventy-two hour period expires until the nonconformities 604
are eliminated, corrected, or otherwise remedied. 605

(3) Revoke, or deny renewal of, the license of the 606
wholesaler in accordance with Chapter 119. of the Revised Code; 607

(4) Take action as authorized by section 3743.68 of the 608
Revised Code. 609

(C) This section does not affect the authority conferred 610
by Chapters 3781. and 3791. of the Revised Code to conduct 611
inspections to determine conformity with those chapters or the 612
rules adopted pursuant to them. 613

(D) If the license of a wholesaler of fireworks is revoked 614
or renewal is denied pursuant to division (B) (3) of this section 615

or section 3743.70 of the Revised Code, the wholesaler shall 616
cease its operations immediately. The wholesaler may not reapply 617
for licensure as a wholesaler of fireworks until two years 618
expire from the date of revocation. 619

The state fire marshal shall remove from the list of 620
licensed wholesalers the name of a wholesaler whose license has 621
been revoked, and shall notify the law enforcement authorities 622
for the political subdivision in which the wholesaler's premises 623
are located, of the revocation or denial of renewal. 624

Sec. 3743.22. (A) As used in this section: 625

(1) "Fee period" means one of the following: 626

(a) For a licensed manufacturer or licensed wholesaler 627
that did not hold a license issued under sections 3743.02 to 628
3743.08 or 3743.15 to 3743.21 of the Revised Code, respectively, 629
on the thirtieth day of November of the preceding year, the 630
period beginning on the first day of the following December and 631
ending on the thirtieth day of the following September; 632

(b) For any other licensed manufacturer or licensed 633
wholesaler, the period beginning on the first day of October and 634
ending on the thirtieth day of the following September. 635

(2) "Gross receipts" excludes the amount of taxes a 636
licensed manufacturer or licensed wholesaler collects from a 637
consumer under Chapter 5739. of the Revised Code on behalf of 638
the state or a political subdivision. 639

(B) For the purpose of providing revenue to fund 640
firefighter training programs and the enforcement and regulation 641
of the fireworks industry, a fee is imposed on licensed 642
manufacturers and licensed wholesalers selling 1.4G fireworks in 643
this state. The fee shall equal four per cent of the gross 644

receipts of a licensed manufacturer or licensed wholesaler from 645
retail sales of 1.4G fireworks in this state made on or after 646
January 1, 2020. For the purpose of this section, a retail sale 647
of 1.4G fireworks is made in this state only if the purchaser 648
intends to use the fireworks, and not resell them, and receives 649
the 1.4G fireworks at a location in this state. 650

The fee shall be reported, on a form prescribed by the 651
state fire marshal, and remitted to the state fire marshal on or 652
before the twenty-third day after the last day of each fee 653
period. The amount of the fee due shall be computed on the basis 654
of gross receipts from retail sales made in each fee period. A 655
licensed manufacturer or licensed wholesaler whose license is 656
canceled or revoked or expires without renewal during a fee 657
period shall report and remit the fee based on sales of 1.4G 658
fireworks made in that fee period as required under this 659
section. A licensed manufacturer or licensed wholesaler may 660
separately or proportionately bill or invoice a fee imposed 661
under this section to another person. 662

(C) All money collected under this section shall be 663
credited to the fireworks fee receipts fund, which is hereby 664
created in the state treasury. Seven-eighths of the money in the 665
fund shall be used by the state fire marshal solely to fund 666
firefighter training programs. Remaining money in the fund shall 667
be used solely to pay expenses of the state fire marshal in 668
performing the duties prescribed by this chapter. 669

(D) If the state fire marshal determines that a licensed 670
manufacturer or licensed wholesaler fails to timely report and 671
remit the full amount of the fee as required by this section, 672
the state fire marshal may do either of the following: 673

(1) Order, in writing, the wholesaler or manufacturer to 674

report and remit to the state fire marshal, within a specified 675
period of time, any such underpayment; 676

(2) Revoke or deny renewal of the license of the 677
manufacturer or wholesaler, which shall subject the manufacturer 678
or wholesaler to the consequences prescribed in division (D) of 679
section 3743.08 of the Revised Code or division (D) of section 680
3743.21 of the Revised Code. 681

(E) The state fire marshal may adopt rules in accordance 682
with Chapter 119. of the Revised Code as necessary to administer 683
and enforce the fee imposed under this section. 684

Sec. 3743.25. (A) (1) Except as described in division (A) 685
(2) of this section, all retail sales of 1.4G fireworks by a 686
licensed manufacturer or wholesaler shall only occur from an 687
approved retail sales showroom on a licensed premises or from a 688
representative sample showroom as described in this section on a 689
licensed premises. For the purposes of this section, a retail 690
sale includes the transfer of the possession of the 1.4G 691
fireworks from the licensed manufacturer or wholesaler to the 692
purchaser of the fireworks. 693

(2) Sales of 1.4G fireworks to a licensed exhibitor for a 694
properly permitted exhibition shall occur in accordance with the 695
provisions of the Revised Code and rules adopted by the state 696
fire marshal under Chapter 119. of the Revised Code. Such rules 697
shall specify, at a minimum, that the licensed exhibitor holds a 698
license under section 3743.51 of the Revised Code, that the 699
exhibitor possesses a valid exhibition permit issued in 700
accordance with section 3743.54 of the Revised Code, and that 701
the fireworks shipped are to be used at the specifically 702
permitted exhibition. 703

(B) All wholesale sales of fireworks by a licensed manufacturer or wholesaler shall only occur from a licensed premises to persons who intend to resell the fireworks purchased at wholesale. A wholesale sale by a licensed manufacturer or wholesaler may occur as follows:

(1) The direct sale and shipment of fireworks to a person outside of this state;

(2) From an approved retail sales showroom as described in this section;

(3) From a representative sample showroom as described in this section;

(4) By delivery of wholesale fireworks to a purchaser at a licensed premises outside of a structure or building on that premises. All other portions of the wholesale sales transaction may occur at any location on a licensed premises.

(5) Any other method as described in rules adopted by the state fire marshal under Chapter 119. of the Revised Code.

(C) A licensed manufacturer or wholesaler shall only sell 1.4G fireworks from a representative sample showroom or a retail sales showroom. Each licensed premises shall only contain one sales structure.

A representative sample showroom shall consist of a structure constructed and maintained in accordance with the nonresidential building code adopted under Chapter 3781. of the Revised Code and the fire code adopted under section 3737.82 of the Revised Code for a use and occupancy group that permits mercantile sales. A representative sample showroom shall not contain any pyrotechnics, pyrotechnic materials, fireworks, explosives, explosive materials, or any similar hazardous

materials or substances. A representative sample showroom shall 733
be used only for the public viewing of fireworks product 734
representations, including paper materials, packaging materials, 735
catalogs, photographs, or other similar product depictions. The 736
delivery of product to a purchaser of fireworks at a licensed 737
premises that has a representative sample structure shall not 738
occur inside any structure on a licensed premises. Such product 739
delivery shall occur on the licensed premises in a manner 740
prescribed by rules adopted by the state fire marshal pursuant 741
to Chapter 119. of the Revised Code. 742

If a manufacturer or wholesaler elects to conduct sales 743
from a retail sales showroom, the showroom structures, to which 744
the public may have any access and in which employees are 745
required to work, on all licensed premises, shall comply with 746
the following safety requirements: 747

(1) A fireworks showroom that is constructed or upon which 748
expansion is undertaken on and after June 30, 1997, shall be 749
equipped with interlinked fire detection, fire suppression, 750
smoke exhaust, and smoke evacuation systems that are approved by 751
the superintendent of industrial compliance in the department of 752
commerce. 753

(2) A fireworks showroom that first begins to operate on 754
or after June 30, 1997, and to which the public has access for 755
retail purposes shall not exceed ~~five~~ten thousand square feet 756
in floor area. 757

(3) A newly constructed or an existing fireworks showroom 758
structure that exists on September 23, 2008, but that, on or 759
after September 23, 2008, is altered or added to in a manner 760
requiring the submission of plans, drawings, specifications, or 761
data pursuant to section 3791.04 of the Revised Code, shall 762

comply with a graphic floor plan layout that is approved by the 763
state fire marshal and superintendent showing width of aisles, 764
parallel arrangement of aisles to exits, number of exits per 765
wall, maximum occupancy load, evacuation plan for occupants, 766
height of storage or display of merchandise, and other 767
information as may be required by the state fire marshal and 768
superintendent. 769

(4) A fireworks showroom structure that exists on June 30, 770
1997, shall be in compliance on or after June 30, 1997, with 771
floor plans showing occupancy load limits and internal 772
circulation and egress patterns that are approved by the state 773
fire marshal and superintendent, and that are submitted under 774
seal as required by section 3791.04 of the Revised Code. 775

(D) The safety requirements established in division (C) of 776
this section are not subject to any variance, waiver, or 777
exclusion pursuant to this chapter or any applicable building 778
code. 779

Sec. 3743.44. (A) Any person who ~~resides in another state~~ 780
~~and who~~ intends to obtain possession in this state of 1.3G 781
fireworks purchased in this state shall obtain possession of the 782
1.3G fireworks only from a licensed manufacturer or licensed 783
~~wholesaler and only possess the fireworks in this state while in~~ 784
~~the course of directly transporting them out of this state.~~ 785

No licensed manufacturer or licensed wholesaler shall sell 786
1.3G fireworks to a person ~~who resides in another state~~ unless 787
that person has been issued a license or permit in the state of 788
the person's residence that authorizes the person to engage in 789
the manufacture, wholesale sale, or retail sale of 1.3G 790
fireworks or that authorizes the person to conduct 1.3G 791
fireworks exhibitions in that state and that person presents a 792

certified copy of the license. 793

~~No licensed manufacturer or licensed wholesaler shall sell 794
fireworks to a person who resides in another state unless that 795
person has been issued a license or permit in the state of the 796
person's residence that authorizes the person to engage in the 797
manufacture, wholesale sale, or retail sale of fireworks in that 798
state or that authorizes the person to conduct fireworks 799
exhibitions in that state and that person presents a certified 800
copy of the license, or, if that person does not possess a 801
license or permit of that nature, only if the person presents a 802
current valid motor vehicle operator's license issued to the 803
person in the person's state of residence, or, if that person 804
does not possess a motor vehicle operator's license issued in 805
that state, an identification card issued to the person by a 806
governmental agency in the person's state of residence 807
indicating that the person is a resident of that state. If a 808
person who is required to present a motor vehicle operator's 809
license or other identification card intends to transport the 810
fireworks purchased directly out of this state by a motor 811
vehicle and the person will not also be the operator of that 812
motor vehicle while so transporting the fireworks, the operator 813
of the motor vehicle also shall present the operator's motor 814
vehicle operator's license. 815~~

~~(B) Each purchaser of fireworks under this section shall 816
transport the fireworks so purchased directly out of this state 817
within forty eight hours after the time of their purchase. 818~~

~~This section regulates wholesale sales and retail sales of 819
fireworks in this state only insofar as purchasers of fireworks 820
are residents of other states and will be obtaining possession 821
in this state of purchased fireworks. This section does not 822~~

prohibit licensed manufacturers or wholesalers from selling 823
fireworks, in accordance with section 3743.04 or sections 824
3743.17 and 3743.25 of the Revised Code, to a resident of 825
another state and from shipping the purchased fireworks directly 826
out of this state to the purchaser. 827

Sec. 3743.45. (A) Any person who ~~resides in this state and~~ 828
~~who~~ intends to obtain possession in this state of 1.4G fireworks 829
purchased in this state shall obtain possession of the 1.4G 830
fireworks only from a licensed manufacturer or licensed 831
wholesaler and shall be subject to this section. 832

~~Each purchaser of 1.4G fireworks under this division shall~~ 833
~~transport the fireworks so purchased directly out of this state~~ 834
~~within forty eight hours after the time of their purchase.~~ 835

~~This division does not apply to a person who resides in~~ 836
~~this state and who is also a licensed manufacturer, licensed~~ 837
~~wholesaler, or licensed exhibitor of fireworks in this state.~~ 838

~~(B) No licensed manufacturer or licensed wholesaler shall~~ 839
~~sell 1.3G fireworks to a person who resides in this state unless~~ 840
~~that person is a licensed manufacturer, licensed wholesaler, or~~ 841
~~licensed exhibitor of fireworks in this state~~ A licensed 842
manufacturer or licensed wholesaler selling 1.4G fireworks under 843
this division shall have safety glasses available for a nominal 844
charge or free at the site of the 1.4G fireworks purchase. 845

(C) Any person authorized under this section to possess 846
1.4G fireworks in this state may discharge, ignite, or explode 847
those fireworks in either of the following locations in this 848
state: 849

(1) On the property of the person; 850

(2) On the property of another who has given permission to 851

the person. 852

(D) Fireworks discharged, ignited, or exploded pursuant to this section shall not be considered a public exhibition. 853
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(E) A county, with respect to the unincorporated territory of the county, a township, with respect to the unincorporated territory of the township, or a municipal corporation may do either of the following: 855
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(1) Restrict the dates and times a person may discharge, ignite, or explode fireworks purchased pursuant to this section. 859
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(2) Ban the discharge, ignition, or explosion of fireworks purchased pursuant to this section. A resolution adopted by a board of township trustees under this division prevails over a conflicting resolution adopted under this division by the board of county commissioners in the county within which the township is located. 861
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(F) This section does not limit the enforcement of any ordinance, resolution, or statute that regulates noise, disturbance of the peace, or disorderly conduct. 867
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(G) (1) The state fire marshal shall adopt rules in accordance with Chapter 119. of the Revised Code regulating the time, manner, and location of 1.4G fireworks discharged, ignited, or exploded under this section. The rules may include provisions requiring that all fireworks be used only in accordance with manufacturer's instructions and provisions for all of the following: 870
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(a) The use of aerial fireworks; 877

(b) Separation distances between the location of fireworks discharges, ignitions, or explosions and adjacent structures, 878
879

roadways, railroads, airports, publicly owned or controlled 880
places, and places where hazardous materials are manufactured, 881
used, or stored; 882

(c) Fireworks usage at common areas of multitenant 883
properties; 884

(d) The suspension of fireworks discharges, ignitions, or 885
explosions during times of drought or similar conditions; 886

(e) The proximity of fireworks discharges, ignitions, or 887
explosions to persons under eighteen years of age; 888

(f) Any other matters similar to those listed in division 889
(G)(1) of this section. 890

(2) Nothing in division (G) of this section shall be 891
construed to limit the authority of a county, township, or 892
municipal corporation under division (E) of this section to 893
restrict the dates and times or ban the discharge, ignition, or 894
explosion of fireworks purchased under this section. 895

Sec. 3743.46. (A) Except as otherwise provided in section 896
3743.44 or 3743.45 of the Revised Code, no licensed manufacturer 897
or licensed wholesaler shall sell fireworks to a person who 898
resides in another state unless one of the following applies: 899

(1) The person has been issued a license or permit in the 900
state of the person's residence that authorizes the person to 901
engage in the manufacture, wholesale sale, or retail sale of 902
fireworks in that state or that authorizes the person to conduct 903
fireworks exhibitions in that state and that person presents a 904
certified copy of the license. 905

(2) If the person does not possess a license or permit 906
described in division (A)(1) of this section, the person 907

presents a current, valid motor vehicle operator's license 908
issued to the person in the person's state of residence. 909

(3) If the person does not possess a license or permit 910
issued in that state as described in division (A) (1) or (2) of 911
this section, the person presents an identification card issued 912
to the person by a governmental agency in the person's state of 913
residence indicating that the person is a resident of that 914
state. 915

(B) If a person who is required to present a motor vehicle 916
operator's license or other identification card intends to 917
transport the fireworks purchased directly out of this state by 918
a motor vehicle and the person will not also be the operator of 919
that motor vehicle while so transporting the fireworks, the 920
operator of the motor vehicle also shall present the operator's 921
motor vehicle operator's license. 922

Sec. 3743.47. (A) The state fire marshal shall design a 923
pamphlet that explains how to use 1.4G fireworks safely. The 924
state fire marshal shall distribute the pamphlet design to all 925
licensed wholesalers and licensed manufacturers who sell 1.4G 926
fireworks. 927

(B) A licensed manufacturer or licensed wholesaler shall 928
furnish a copy of the pamphlet prepared pursuant to division (A) 929
of this section to each purchaser of 1.4G fireworks. 930

This division does not apply when a purchaser is a 931
licensed manufacturer, licensed wholesaler, or licensed 932
exhibitor of fireworks in this state. 933

Sec. 3743.57. (A) All fees collected by the state fire 934
marshal for licenses or permits issued pursuant to this chapter, 935
except the fee imposed under section 3743.22 of the Revised 936

Code, shall be deposited into the state fire marshal's fund, and 937
interest earned on the amounts in the fund shall be credited by 938
the treasurer of state to the fund. 939

(B) The state fire marshal shall in the state fire 940
marshal's discretion use amounts in the state fire marshal's 941
fund for fireworks training and education purposes, including, 942
but not limited to, the creation of educational and training 943
programs, attendance by the state fire marshal and the state 944
fire marshal's employees at conferences and seminars, the 945
payment of travel and meal expenses associated with such 946
attendance, participation by the state fire marshal and the 947
state fire marshal's employees in committee meetings and other 948
meetings related to pyrotechnic codes, and the payment of travel 949
and meal expenses associated with such participation. The use of 950
the fund shall comply with rules of the department of commerce, 951
policies and procedures established by the director of budget 952
and management, and all other applicable laws. 953

Sec. 3743.591. (A) Not later than December 31, 2019, the 954
state fire marshal shall adopt rules, in consultation with the 955
fireworks industry and other interested parties, that allow a 956
licensed manufacturer or licensed wholesaler of fireworks to 957
transfer the manufacturer's or wholesaler's license from one 958
geographic location to another. 959

(B) Upon application by a licensed manufacturer or 960
licensed wholesaler of fireworks to the state fire marshal, a 961
manufacturer license or wholesaler license may be transferred 962
from one geographic location to another if the state fire 963
marshal determines that the licensed wholesaler or licensed 964
manufacturer has complied with the rules adopted by the state 965
fire marshal under division (A) of this section. 966

(C) A wholesaler license may be transferred from one 967
geographic location to another if the licensed wholesaler 968
satisfies the requirements specified in division (F) of section 969
3743.17 of the Revised Code or the rules adopted under division 970
(A) of this section. 971

Sec. 3743.60. (A) No person shall manufacture fireworks in 972
this state unless it is a licensed manufacturer of fireworks, 973
and no person shall operate a fireworks plant in this state 974
unless it has been issued a license as a manufacturer of 975
fireworks for the particular fireworks plant. 976

(B) No person shall operate a fireworks plant in this 977
state after its license as a manufacturer of fireworks for the 978
particular fireworks plant has expired, been denied renewal, or 979
been revoked, unless a new license has been obtained. 980

(C) No licensed manufacturer of fireworks, during the 981
effective period of its licensure, shall construct, locate, or 982
relocate any buildings or other structures on the premises of 983
its fireworks plant, make any structural change or renovation in 984
any building or other structure on the premises of its fireworks 985
plant, or change the nature of its manufacturing of fireworks so 986
as to include the processing of fireworks without first 987
obtaining a written authorization from the state fire marshal 988
pursuant to division (B) of section 3743.04 of the Revised Code. 989

(D) No licensed manufacturer of fireworks shall 990
manufacture fireworks, possess fireworks for sale at wholesale 991
or retail, or sell fireworks at wholesale or retail, in a manner 992
not authorized by division (C) of section 3743.04 of the Revised 993
Code. 994

(E) No licensed manufacturer of fireworks shall knowingly 995

fail to comply with the rules adopted by the state fire marshal 996
pursuant to section 3743.05 of the Revised Code or the 997
requirements of section 3743.06 of the Revised Code. 998

(F) No licensed manufacturer of fireworks shall fail to 999
maintain complete inventory, wholesale sale, and retail records 1000
as required by section 3743.07 of the Revised Code, or to permit 1001
inspection of these records or the premises of a fireworks plant 1002
pursuant to section 3743.08 of the Revised Code. 1003

(G) No licensed manufacturer of fireworks shall fail to 1004
comply with an order of the state fire marshal issued pursuant 1005
to division (B) (1) of section 3743.08 of the Revised Code, 1006
within the specified period of time. 1007

(H) No licensed manufacturer of fireworks shall fail to 1008
comply with an order of the state fire marshal issued pursuant 1009
to division (B) (2) of section 3743.08 of the Revised Code until 1010
the nonconformities are eliminated, corrected, or otherwise 1011
remedied or the seventy-two hour period specified in that 1012
division has expired, whichever first occurs. 1013

(I) No person shall smoke or shall carry a pipe, 1014
cigarette, or cigar, or a match, lighter, other flame-producing 1015
item, or open flame on, or shall carry a concealed source of 1016
ignition into, the premises of a fireworks plant, except as 1017
smoking is authorized in specified lunchrooms or restrooms by a 1018
manufacturer pursuant to division (C) of section 3743.06 of the 1019
Revised Code. 1020

(J) No person shall have possession or control of, or be 1021
under the influence of, any intoxicating liquor, beer, or 1022
controlled substance, while on the premises of a fireworks 1023
plant. 1024

(K) No licensed manufacturer of fireworks shall 1025
negligently fail to furnish a safety pamphlet to a purchaser of 1026
1.4G fireworks as required by division (B) of section 3743.47 of 1027
the Revised Code. 1028

(L) No licensed manufacturer of fireworks shall 1029
negligently fail to have safety glasses available for sale as 1030
required by division (B) of section 3743.45 of the Revised Code. 1031

Sec. 3743.61. (A) No person, except a licensed 1032
manufacturer of fireworks engaging in the wholesale sale of 1033
fireworks as authorized by division (C) (2) of section 3743.04 of 1034
the Revised Code, shall operate as a wholesaler of fireworks in 1035
this state unless it is a licensed wholesaler of fireworks, or 1036
shall operate as a wholesaler of fireworks at any location in 1037
this state unless it has been issued a license as a wholesaler 1038
of fireworks for the particular location. 1039

(B) No person shall operate as a wholesaler of fireworks 1040
at a particular location in this state after its license as a 1041
wholesaler of fireworks for the particular location has expired, 1042
been denied renewal, or been revoked, unless a new license has 1043
been obtained. 1044

(C) No licensed wholesaler of fireworks, during the 1045
effective period of its licensure, shall perform any 1046
construction, or make any structural change or renovation, on 1047
the premises on which the fireworks are sold without first 1048
obtaining a written authorization from the state fire marshal 1049
pursuant to division (B) of section 3743.17 of the Revised Code. 1050

(D) No licensed wholesaler of fireworks shall possess 1051
fireworks for sale at wholesale or retail, or sell fireworks at 1052
wholesale or retail, in a manner not authorized by division (C) 1053

of section 3743.17 of the Revised Code. 1054

(E) No licensed wholesaler of fireworks shall knowingly 1055
fail to comply with the rules adopted by the state fire marshal 1056
pursuant to section 3743.18 or the requirements of section 1057
3743.19 of the Revised Code. 1058

(F) No licensed wholesaler of fireworks shall fail to 1059
maintain complete inventory, wholesale sale, and retail records 1060
as required by section 3743.20 of the Revised Code, or to permit 1061
inspection of these records or the premises of the wholesaler 1062
pursuant to section 3743.21 of the Revised Code. 1063

(G) No licensed wholesaler of fireworks shall fail to 1064
comply with an order of the state fire marshal issued pursuant 1065
to division (B) (1) of section 3743.21 of the Revised Code, 1066
within the specified period of time. 1067

(H) No licensed wholesaler of fireworks shall fail to 1068
comply with an order of the state fire marshal issued pursuant 1069
to division (B) (2) of section 3743.21 of the Revised Code until 1070
the nonconformities are eliminated, corrected, or otherwise 1071
remedied or the seventy-two hour period specified in that 1072
division has expired, whichever first occurs. 1073

(I) No person shall smoke or shall carry a pipe, 1074
cigarette, or cigar, or a match, lighter, other flame-producing 1075
item, or open flame on, or shall carry a concealed source of 1076
ignition into, the premises of a wholesaler of fireworks, except 1077
as smoking is authorized in specified lunchrooms or restrooms by 1078
a wholesaler pursuant to division (D) of section 3743.19 of the 1079
Revised Code. 1080

(J) No person shall have possession or control of, or be 1081
under the influence of, any intoxicating liquor, beer, or 1082

controlled substance, while on the premises of a wholesaler of fireworks. 1083
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(K) No licensed wholesaler of fireworks shall negligently fail to furnish a safety pamphlet to a purchaser of 1.4G fireworks as required by division (B) of section 3743.47 of the Revised Code. 1085
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(L) No licensed wholesaler of fireworks shall negligently fail to have safety glasses available for sale as required by division (B) of section 3743.45 of the Revised Code. 1089
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Sec. 3743.63. (A) No person who ~~resides in another state and~~ purchases fireworks in this state shall obtain possession of the fireworks in this state unless the person complies with ~~section~~ sections 3743.44 to 3743.46 of the Revised Code. 1092
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(B) ~~No~~ Except for the purchase of 1.4G fireworks made under section 3743.45 of the Revised Code, no person who resides in another state and who purchases fireworks in this state shall obtain possession of fireworks in this state other than from a licensed manufacturer or wholesaler, or fail, when transporting 1.3G fireworks, to transport them directly out of this state within seventy-two hours after the time of their purchase. ~~No such person shall give or sell to any other person in this state fireworks that the person has acquired in this state.~~ 1096
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(C) ~~No person who resides in this state and purchases fireworks in this state shall obtain possession of the fireworks in this state unless the person complies with section 3743.45 of the Revised Code.~~ 1105
1106
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~~(D) No person who resides in this state and who purchases fireworks in this state under section 3743.45 of the Revised Code shall obtain possession of fireworks in this state other~~ 1109
1110
1111

~~than from a licensed manufacturer or licensed wholesaler, or~~ 1112
~~fail, when transporting the fireworks, to transport them~~ 1113
~~directly out of this state within forty eight hours after the~~ 1114
~~time of their purchase. No such person shall give or sell to any~~ 1115
other person in this state fireworks that the person has 1116
acquired in this state. 1117

Sec. 3743.65. (A) No person shall possess fireworks in 1118
this state or shall possess for sale or sell fireworks in this 1119
state, except a licensed manufacturer of fireworks as authorized 1120
by sections 3743.02 to 3743.08 of the Revised Code, a licensed 1121
wholesaler of fireworks as authorized by sections 3743.15 to 1122
3743.21 of the Revised Code, a shipping permit holder as 1123
authorized by section 3743.40 of the Revised Code, ~~an out-of-~~ 1124
~~state resident~~ a person as authorized by ~~section~~ sections 1125
3743.44 ~~of the Revised Code, a resident of this state as~~ 1126
~~authorized by section~~ and 3743.45 of the Revised Code, or a 1127
licensed exhibitor of fireworks as authorized by sections 1128
3743.50 to 3743.55 of the Revised Code, and except as provided 1129
in section 3743.80 of the Revised Code. 1130

(B) Except as provided in ~~section~~ sections 3743.45 and 1131
3743.80 of the Revised Code and except for licensed exhibitors 1132
of fireworks authorized to conduct a fireworks exhibition 1133
pursuant to sections 3743.50 to 3743.55 of the Revised Code, no 1134
person shall discharge, ignite, or explode any fireworks in this 1135
state. 1136

(C) No person shall use in a theater or public hall, what 1137
is technically known as fireworks showers, or a mixture 1138
containing potassium chlorate and sulphur. 1139

(D) No person shall sell fireworks of any kind to a person 1140
under eighteen years of age. No person under eighteen years of 1141

age shall enter a fireworks sales showroom unless that person is 1142
accompanied by a parent, legal guardian, or other responsible 1143
adult. No person under eighteen years of age shall touch or 1144
possess fireworks on a licensed premises without the consent of 1145
the licensee. A licensee may eject any person from a licensed 1146
premises that is in any way disruptive to the safe operation of 1147
the premises. 1148

(E) Except as otherwise provided in section 3743.44 of the 1149
Revised Code, no person, other than a licensed manufacturer, 1150
licensed wholesaler, licensed exhibitor, or shipping permit 1151
holder, shall possess 1.3G fireworks in this state. 1152

(F) Except as otherwise provided in division (J) of 1153
section 3743.06 and division (K) of section 3743.19 of the 1154
Revised Code, no person shall knowingly disable a fire 1155
suppression system as defined in section 3781.108 of the Revised 1156
Code on the premises of a fireworks plant of a licensed 1157
manufacturer of fireworks or on the premises of the business 1158
operations of a licensed wholesaler of fireworks. 1159

(G) No person shall negligently discharge, ignite, or 1160
explode fireworks while in possession or control of, or under 1161
the influence of, any intoxicating liquor, beer, or controlled 1162
substance. 1163

(H) No person shall negligently discharge, ignite, or 1164
explode fireworks on the property of another person without that 1165
person's permission to use fireworks on that property. 1166

Sec. 3743.67. (A) The Ohio fire code rule recommendation 1167
committee is hereby created to review Chapter 3743. of the 1168
Revised Code and make a recommendation to the state fire 1169
marshal. At a minimum, the committee shall make a recommendation 1170

to the state fire marshal relating to all of the following: 1171

(1) Sections 3743.02, 3743.03, 3743.04, 3743.06, 3743.15, 1172
3743.16, 3743.17, 3743.18, and 3743.19 of the Revised Code; 1173

(2) Section 3743.45 of the Revised Code relating to the 1174
purchase of 1.4G fireworks from licensed manufacturers or 1175
wholesalers; 1176

(3) Section 3743.75 of the Revised Code relating to the 1177
moratorium on licenses; 1178

(4) State fire marshal rulemaking of building code 1179
requirements for 1.3G manufacturing facilities. 1180

(B) The committee shall meet periodically, with the first 1181
meeting not later than July 1, 2019, and shall submit their 1182
report and recommendations to the state fire marshal by 1183
September 30, 2019. 1184

(C) The committee shall be made up of the following 1185
individuals: 1186

(1) The state fire marshal, or the state fire marshal's 1187
designee; 1188

(2) Four local fire chiefs appointed by the Ohio fire 1189
chiefs' association, or appointed by the association's designee; 1190

(3) A local police chief appointed by the attorney 1191
general, or the attorney general's designee; 1192

(4) Five members of the Ohio state pyrotechnics 1193
association, appointed by the president of the association, one 1194
of whom shall be a licensed wholesaler, one of whom shall be a 1195
licensed exhibitor, and one of whom shall be a licensed 1196
manufacturer; 1197

<u>(5) One member of prevent blindness Ohio, or the</u>	1198
<u>organization's designee;</u>	1199
<u>(6) One member of the Ohio optometric association or the</u>	1200
<u>association's designee;</u>	1201
<u>(7) One member of the Ohio pyrotechnic arts guild or the</u>	1202
<u>organization's designee;</u>	1203
<u>(8) One representative of the Ohio chapter of the American</u>	1204
<u>academy of pediatrics, appointed by the president of the Ohio</u>	1205
<u>chapter.</u>	1206
Sec. 3743.75. (A) <u>(1)</u> During the period beginning on June	1207
29, 2001, and ending on December 31 15, 2019 <u>2021</u> , the state	1208
fire marshal shall not do any either of the following:	1209
(1) <u>(a)</u> Issue a license as a manufacturer of fireworks	1210
under sections 3743.02 and 3743.03 of the Revised Code to a	1211
person for a particular fireworks plant unless that person	1212
possessed such a license for that fireworks plant immediately	1213
prior to June 29, 2001;	1214
(2) <u>(b)</u> Issue a license as a wholesaler of fireworks under	1215
sections 3743.15 and 3743.16 of the Revised Code to a person for	1216
a particular location unless that person possessed such a	1217
license for that location immediately prior to June 29, 2001;	1218
(3) <u>(2)</u> Except as provided in division (B) of this	1219
section, <u>during the period beginning on June 29, 2001, and</u>	1220
<u>ending ninety days after the effective date of this amendment,</u>	1221
<u>the state fire marshal shall not approve the geographic transfer</u>	1222
of a license as a manufacturer or wholesaler of fireworks issued	1223
under this chapter to any location other than a location for	1224
which a license was issued under this chapter immediately prior	1225
to June 29, 2001.	1226

(B) Division (A) ~~(3)~~ (2) of this section does not apply to 1227
a transfer that the state fire marshal approves under division 1228
(F) of section 3743.17 of the Revised Code. 1229

(C) Notwithstanding section 3743.59 of the Revised Code, 1230
the prohibited activities established in ~~divisions~~ division (A) 1231
(1) ~~and (2)~~ of this section, geographic transfers approved 1232
pursuant to division (F) of section 3743.17 of the Revised Code, 1233
and storage locations allowed pursuant to division (I) of 1234
section 3743.04 of the Revised Code or division (G) of section 1235
3743.17 of the Revised Code are not subject to any variance, 1236
waiver, or exclusion. 1237

(D) As used in division (A) of this section: 1238

(1) "Person" includes any person or entity, in whatever 1239
form or name, that acquires possession of a manufacturer or 1240
wholesaler of fireworks license issued pursuant to this chapter 1241
by transfer of possession of a license, whether that transfer 1242
occurs by purchase, assignment, inheritance, bequest, stock 1243
transfer, or any other type of transfer, on the condition that 1244
the transfer is in accordance with division (D) of section 1245
3743.04 of the Revised Code or division (D) of section 3743.17 1246
of the Revised Code and is approved by the state fire marshal. 1247

(2) "Particular location" includes a licensed premises 1248
and, regardless of when approved, any storage location approved 1249
in accordance with section 3743.04 or 3743.17 of the Revised 1250
Code. 1251

(3) "Such a license" includes a wholesaler of fireworks 1252
license that was issued in place of a manufacturer of fireworks 1253
license that existed prior to June 29, 2001, and was requested 1254
to be canceled by the license holder pursuant to division (D) of 1255

section 3743.03 of the Revised Code. 1256

Sec. 3743.99. (A) Whoever violates division (A) or (B) of 1257
section 3743.60 or division (H) of section 3743.64 of the 1258
Revised Code is guilty of a felony of the third degree. 1259

(B) Whoever violates division (C) or (D) of section 1260
3743.60, division (A), (B), (C), or (D) of section 3743.61, or 1261
division (A) or (B) of section 3743.64 of the Revised Code is 1262
guilty of a felony of the fourth degree. 1263

(C) Whoever violates division (E), (F), (G), (H), (I), or 1264
(J) of section 3743.60, division (E), (F), (G), (H), (I), or (J) 1265
of section 3743.61, section 3743.63, division (D), (E), (F), or 1266
(G) of section 3743.64, division (A), (B), (C), (D), or (E) of 1267
section 3743.65, or section 3743.66 of the Revised Code is 1268
guilty of a misdemeanor of the first degree. If the offender 1269
previously has been convicted of or pleaded guilty to a 1270
violation of division (I) of section 3743.60 or 3743.61 of the 1271
Revised Code, a violation of either of these divisions is a 1272
felony of the fifth degree. 1273

(D) Whoever violates division (C) of section 3743.64 of 1274
the Revised Code is guilty of a misdemeanor of the first degree. 1275
In addition to any other penalties that may be imposed on a 1276
licensed exhibitor of fireworks under this division and unless 1277
the third sentence of this division applies, the person's 1278
license as an exhibitor of fireworks or as an assistant 1279
exhibitor of fireworks shall be suspended, and the person is 1280
ineligible to apply for either type of license, for a period of 1281
five years. If the violation of division (C) of section 3743.64 1282
of the Revised Code results in serious physical harm to persons 1283
or serious physical harm to property, the person's license as an 1284
exhibitor of fireworks or as an assistant exhibitor of fireworks 1285

shall be revoked, and that person is ineligible to apply for a 1286
license as or to be licensed as an exhibitor of fireworks or as 1287
an assistant exhibitor of fireworks in this state. 1288

(E) Whoever violates division (F) of section 3743.65 of 1289
the Revised Code is guilty of a felony of the fifth degree. 1290

(F) Whoever violates division (G) of section 3743.65 of 1291
the Revised Code is guilty of a misdemeanor of the first degree. 1292
Notwithstanding any other provision of law to the contrary, a 1293
person may be convicted at the same trial or proceeding of a 1294
violation of division (G) of section 3743.65 of the Revised Code 1295
and a violation of division (B) of section 2917.11 of the 1296
Revised Code that constitutes the basis of the charge of the 1297
violation of division (G) of section 3743.65 of the Revised 1298
Code. 1299

(G) Whoever violates division (K) or (L) of section 1300
3743.60 or division (K) or (L) of section 3743.61 of the Revised 1301
Code is guilty of a misdemeanor of the second degree. 1302

(H) Whoever violates division (H) of section 3743.65 of 1303
the Revised Code is guilty of a minor misdemeanor. 1304

Sec. 5703.21. (A) Except as provided in divisions (B) and 1305
(C) of this section, no agent of the department of taxation, 1306
except in the agent's report to the department or when called on 1307
to testify in any court or proceeding, shall divulge any 1308
information acquired by the agent as to the transactions, 1309
property, or business of any person while acting or claiming to 1310
act under orders of the department. Whoever violates this 1311
provision shall thereafter be disqualified from acting as an 1312
officer or employee or in any other capacity under appointment 1313
or employment of the department. 1314

(B) (1) For purposes of an audit pursuant to section 117.15 1315
of the Revised Code, or an audit of the department pursuant to 1316
Chapter 117. of the Revised Code, or an audit, pursuant to that 1317
chapter, the objective of which is to express an opinion on a 1318
financial report or statement prepared or issued pursuant to 1319
division (A) (7) or (9) of section 126.21 of the Revised Code, 1320
the officers and employees of the auditor of state charged with 1321
conducting the audit shall have access to and the right to 1322
examine any state tax returns and state tax return information 1323
in the possession of the department to the extent that the 1324
access and examination are necessary for purposes of the audit. 1325
Any information acquired as the result of that access and 1326
examination shall not be divulged for any purpose other than as 1327
required for the audit or unless the officers and employees are 1328
required to testify in a court or proceeding under compulsion of 1329
legal process. Whoever violates this provision shall thereafter 1330
be disqualified from acting as an officer or employee or in any 1331
other capacity under appointment or employment of the auditor of 1332
state. 1333

(2) For purposes of an internal audit pursuant to section 1334
126.45 of the Revised Code, the officers and employees of the 1335
office of internal audit in the office of budget and management 1336
charged with directing the internal audit shall have access to 1337
and the right to examine any state tax returns and state tax 1338
return information in the possession of the department to the 1339
extent that the access and examination are necessary for 1340
purposes of the internal audit. Any information acquired as the 1341
result of that access and examination shall not be divulged for 1342
any purpose other than as required for the internal audit or 1343
unless the officers and employees are required to testify in a 1344
court or proceeding under compulsion of legal process. Whoever 1345

violates this provision shall thereafter be disqualified from 1346
acting as an officer or employee or in any other capacity under 1347
appointment or employment of the office of internal audit. 1348

(3) As provided by section 6103(d)(2) of the Internal 1349
Revenue Code, any federal tax returns or federal tax information 1350
that the department has acquired from the internal revenue 1351
service, through federal and state statutory authority, may be 1352
disclosed to the auditor of state or the office of internal 1353
audit solely for purposes of an audit of the department. 1354

(4) For purposes of Chapter 3739. of the Revised Code, an 1355
agent of the department of taxation may share information with 1356
the division of state fire marshal that the agent finds during 1357
the course of an investigation. 1358

(C) Division (A) of this section does not prohibit any of 1359
the following: 1360

(1) Divulging information contained in applications, 1361
complaints, and related documents filed with the department 1362
under section 5715.27 of the Revised Code or in applications 1363
filed with the department under section 5715.39 of the Revised 1364
Code; 1365

(2) Providing information to the office of child support 1366
within the department of job and family services pursuant to 1367
section 3125.43 of the Revised Code; 1368

(3) Disclosing to the motor vehicle repair board any 1369
information in the possession of the department that is 1370
necessary for the board to verify the existence of an 1371
applicant's valid vendor's license and current state tax 1372
identification number under section 4775.07 of the Revised Code; 1373

(4) Providing information to the administrator of workers' 1374

compensation pursuant to sections 4123.271 and 4123.591 of the Revised Code;	1375 1376
(5) Providing to the attorney general information the department obtains under division (J) of section 1346.01 of the Revised Code;	1377 1378 1379
(6) Permitting properly authorized officers, employees, or agents of a municipal corporation from inspecting reports or information pursuant to section 718.84 of the Revised Code or rules adopted under section 5745.16 of the Revised Code;	1380 1381 1382 1383
(7) Providing information regarding the name, account number, or business address of a holder of a vendor's license issued pursuant to section 5739.17 of the Revised Code, a holder of a direct payment permit issued pursuant to section 5739.031 of the Revised Code, or a seller having a use tax account maintained pursuant to section 5741.17 of the Revised Code, or information regarding the active or inactive status of a vendor's license, direct payment permit, or seller's use tax account;	1384 1385 1386 1387 1388 1389 1390 1391 1392
(8) Releasing invoices or invoice information furnished under section 4301.433 of the Revised Code pursuant to that section;	1393 1394 1395
(9) Providing to a county auditor notices or documents concerning or affecting the taxable value of property in the county auditor's county. Unless authorized by law to disclose documents so provided, the county auditor shall not disclose such documents;	1396 1397 1398 1399 1400
(10) Providing to a county auditor sales or use tax return or audit information under section 333.06 of the Revised Code;	1401 1402
(11) Subject to section 4301.441 of the Revised Code,	1403

disclosing to the appropriate state agency information in the 1404
possession of the department of taxation that is necessary to 1405
verify a permit holder's gallonage or noncompliance with taxes 1406
levied under Chapter 4301. or 4305. of the Revised Code; 1407

(12) Disclosing to the department of natural resources 1408
information in the possession of the department of taxation that 1409
is necessary for the department of taxation to verify the 1410
taxpayer's compliance with section 5749.02 of the Revised Code 1411
or to allow the department of natural resources to enforce 1412
Chapter 1509. of the Revised Code; 1413

(13) Disclosing to the department of job and family 1414
services, industrial commission, and bureau of workers' 1415
compensation information in the possession of the department of 1416
taxation solely for the purpose of identifying employers that 1417
misclassify employees as independent contractors or that fail to 1418
properly report and pay employer tax liabilities. The department 1419
of taxation shall disclose only such information that is 1420
necessary to verify employer compliance with law administered by 1421
those agencies. 1422

(14) Disclosing to the Ohio casino control commission 1423
information in the possession of the department of taxation that 1424
is necessary to verify a casino operator's compliance with 1425
section 5747.063 or 5753.02 of the Revised Code and sections 1426
related thereto; 1427

(15) Disclosing to the state lottery commission 1428
information in the possession of the department of taxation that 1429
is necessary to verify a lottery sales agent's compliance with 1430
section 5747.064 of the Revised Code; 1431

(16) Disclosing to the development services agency 1432

information in the possession of the department of taxation that 1433
is necessary to ensure compliance with the laws of this state 1434
governing taxation and to verify information reported to the 1435
development services agency for the purpose of evaluating 1436
potential tax credits, grants, or loans. Such information shall 1437
not include information received from the internal revenue 1438
service the disclosure of which is prohibited by section 6103 of 1439
the Internal Revenue Code. No officer, employee, or agent of the 1440
development services agency shall disclose any information 1441
provided to the development services agency by the department of 1442
taxation under division (C) (16) of this section except when 1443
disclosure of the information is necessary for, and made solely 1444
for the purpose of facilitating, the evaluation of potential tax 1445
credits, grants, or loans. 1446

(17) Disclosing to the department of insurance information 1447
in the possession of the department of taxation that is 1448
necessary to ensure a taxpayer's compliance with the 1449
requirements with any tax credit administered by the development 1450
services agency and claimed by the taxpayer against any tax 1451
administered by the superintendent of insurance. No officer, 1452
employee, or agent of the department of insurance shall disclose 1453
any information provided to the department of insurance by the 1454
department of taxation under division (C) (17) of this section. 1455

(18) Disclosing to the division of liquor control 1456
information in the possession of the department of taxation that 1457
is necessary for the division and department to comply with the 1458
requirements of sections 4303.26 and 4303.271 of the Revised 1459
Code; 1460

(19) Disclosing to the state fire marshal information in 1461
the possession of the department of taxation that is necessary 1462

for the state fire marshal to verify the compliance of a 1463
licensed manufacturer of fireworks or a licensed wholesaler of 1464
fireworks with section 3743.22 of the Revised Code. No officer, 1465
employee, or agent of the state fire marshal shall disclose any 1466
information provided to the state fire marshal by the department 1467
of taxation under division (C) (19) of this section. 1468

Section 2. That existing sections 3743.04, 3743.08, 1469
3743.17, 3743.21, 3743.25, 3743.44, 3743.45, 3743.57, 3743.60, 1470
3743.61, 3743.63, 3743.65, 3743.75, 3743.99, and 5703.21 of the 1471
Revised Code are hereby repealed. 1472

Section 3. The amendments to sections 3743.04, 3743.08, 1473
3743.17, 3743.21, 3743.44, 3743.45, 3743.57, 3743.60, 3743.61, 1474
3743.63, 3743.65, 3743.99, and 5703.21 of the Revised Code made 1475
in Sections 1 and 2 of this act and the enactment of sections 1476
3743.22, 3743.46, 3743.47, and 3743.591 of the Revised Code by 1477
Sections 1 and 2 of this act, take effect January 1, 2020. The 1478
enactment of section 3743.67 of the Revised Code and the 1479
amendments to sections 3743.25 and 3743.75 of the Revised Code 1480
in Sections 1 and 2 of this act shall take effect at the 1481
earliest time permitted by law. 1482