



March 24, 2021  
House Bill 172 Proponent Testimony  
Eric Turner

Chairman Stein, Vice-Chairman Johnson, Ranking Member Lepore-Hagan, and members of the Committee, thank you for the opportunity to testify as a proponent on House Bill 172. My name is Eric Turner and I want to applaud Representatives Baldrige and O'Brien for their efforts to bring this much needed reform to Ohio's fireworks laws.

Our company, American Promotional Events, Inc. (sold under the TNT Fireworks name,) celebrated 100 years selling fireworks this last year. Our company offers a wide variety of products to our more than 40,000 retail customers across the United States. We have one TNT Fireworks Supercenter in Dayton, but primarily work with over 1,400 retail partners in Ohio. In Ohio, our sales have been limited to handheld sparklers and novelty items that are currently the only fireworks permissible for sale by Chain Retailers and Mom & Pop stores.

As you know, House Bill 172 will finally allow Ohioans to celebrate the 4<sup>th</sup> of July with fireworks and without breaking the law. The bill also brings Ohio in-line with the vast majority of other states that allow for ground sparklers to be sold in retail stores. Ground-based Sparklers or Fountains are non-explosive and non-aerial devices that emit a shower of sparks. These fountains are often sold with hand-held sparklers and novelty items in an assortment pack. However, under current Ohio law, these devices are only available where fireworks are sold. Attached to this letter is a picture showing the four states in yellow not allowing ground-based sparklers.

Our company ships the assortments with the fountains to every state except Ohio, Illinois, Vermont and Massachusetts. With the passage of this bill, our Ohio retailers, including Wal\*Mart, Target, Meijer, Sam's, Costco and Kroger, among many others, will have the opportunity to sell these products to Ohio consumers for their own family 4<sup>th</sup> of July celebrations.

Our retail partners welcome this proposed change as an exciting new offering to their customers. They have agreed that to sell these new devices, the store must be licensed by the State Fire Marshal, collect a 4% tax on the sale of the fountains and must adhere to the National Fire Protection Association Code 1124. Furthermore, these fountains are only to be sold in fixed retail stores and only to those 18 years old or older. Just as my company believes in the utmost importance of safety, our retail partners are committed to ensuring these new items will be sold in a safe and responsible manner.

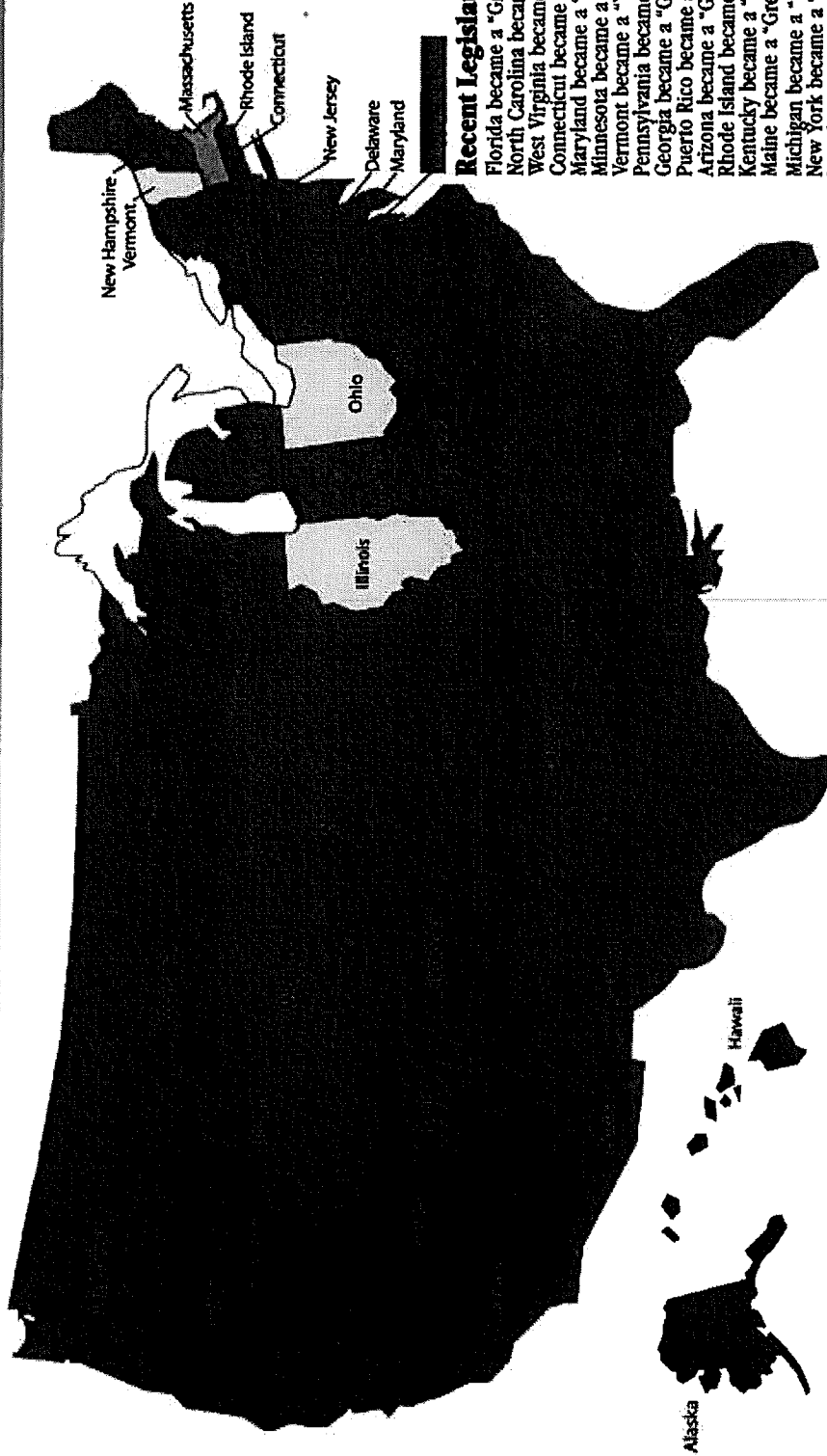
I want to thank Representatives Baldrige and O'Brien for their efforts on this issue. I also want to thank others in the fireworks industry. Although we compete against one another in the marketplace, we have been able to come together and reach a compromise with the legislation now in front of your Committee. House Bill 172 will benefit retailers in Ohio, while also allowing Ohio citizens to enjoy the celebration of our freedom, in a safe and enjoyable way.

I urge the Committee's support of House Bill 172 and would be happy to answer any questions.



# Fireworks in America

## STATE LAWS



### Recent Legislative Activity

- Florida became a "Green" state in 1988
- North Carolina became a "Green" state in 1993
- West Virginia became a "Green" state in 1995
- Connecticut became a "Green" state in 2000
- Maryland became a "Green" state in 2001
- Minnesota became a "Green" state in 2002
- Vermont became a "Yellow" state in 2003
- Pennsylvania became a "Green" state in 2004
- Georgia became a "Green" state in 2005
- Puerto Rico became a "Green" commonwealth in 2006
- Arizona became a "Green" state in 2010
- Rhode Island became a "Green" state in 2010
- Kentucky became a "Green" state in 2011
- Maine became a "Green" state in 2011
- Michigan became a "Green" state in 2011
- New York became a "Green" state in 2014
- Iowa became a "Green" state in 2017
- New Jersey became a "Green" state in 2017
- Delaware became a "Green" state in 2018



**GREEN** - Family safe and sane sparklers & fireworks. Hand-held and ground based sparklers (fountains), trick noisemakers, toy smoke devices and snakes. Fireworks sold by retailers - supermarkets, discount stores, drug stores, convenience stores and not-for-profit stands and tents.



**YELLOW** - Sparklers and/or trick noisemakers, toy smoke devices and snakes. Fireworks sold by retailers - supermarkets, discount stores, drug stores, convenience stores.



**GREEN** - Most fireworks permitted. (Firecrackers, aersials, Roman candles, sky rockets, etc.) Fireworks sold primarily by licensed fireworks stores and temporary parking lot stands and tents.



**RED** - Fireworks not permitted for sale to/or use by consumer.

\* The legality of specific items in a particular state may vary slightly within the stated category. Nevada has fireworks laws only at the county level.