

**ADOPTED**

Senators Harper of the 7th, Mullis of the 53rd, Albers of the 56th, Watson of the 1st, Kennedy of the 18th and others offer the following amendment:

1 *Amend the substitute to HB 110/CSFA (LC 41 0510S) by replacing line 26 with the*  
 2 *following:*

3 in the 2001 American Pyrotechnics Association Standard 87-1, and additionally shall  
 4 mean Roman candles.

5 *By replacing line 32 with the following:*

6 sells consumer fireworks.

7 *By replacing line 37 with the following:*

8 skyrockets, ~~Roman candles~~, bombs, sparklers, and other combustibles and explosives of

9 *By deleting line 45 and replacing "(9)", "(10)", and "(11)" with "(8)", "(9)", and "(12)",*  
 10 *respectively, on lines 46, 49, and 50.*

11 *By inserting between lines 49 and 50 the following:*

12 (11) 'Retail chain' means a person, firm, corporation, association, or partnership with  
 13 more than one store, where all such stores are collectively known to the public by the  
 14 same name or share central management.

15 *By replacing "building" with "consumer fireworks retail sales facility" on lines 135, 136, and*  
 16 *137.*

17 *By replacing line 140 with the following:*

18 or (d) of Code Section 25-10-5.1.

19 *By replacing "subdivision," on line 146 with the following:*

20 subdivision or a fire department connection of a building affiliated with such  
 21 consumer fireworks retail sales stand,

22 *By inserting "or fire department connection" after "hydrant" on line 151.*

23 *By inserting between lines 153 and 154 the following:*

24 No distributor licensed pursuant to subsection (c) of Code Section 25-10-5.1 shall at  
 25 any one time operate more than two temporary consumer fireworks retail sales stands  
 26 for each license issued to such distributor under subsection (b) or (d) of Code Section  
 27 25-10-5.1, except that a distributor which is a retail chain and which is licensed  
 28 pursuant to subsection (d) of Code Section 25-10-5.1 shall not at any one time operate  
 29 more than two temporary consumer fireworks retail sales stands for each store of such  
 30 retail chain. Such temporary consumer fireworks retail sales stands shall be located  
 31 within the same county as the location of such permanent consumer fireworks retail  
 32 sales facility or store provided for under subsection (b) or (d) of Code Section  
 33 25-10-5.1; provided, however, that if a county does not have a distributor licensed  
 34 pursuant to subsection (b) or (d) of Code Section 25-10-5.1 offering consumer  
 35 fireworks for sale from a permanent consumer fireworks retail sales facility or store  
 36 within its boundaries, then a distributor licensed pursuant to subsection (b) or (d) of  
 37 Code Section 25-10-5.1 offering consumer fireworks for sale from a permanent  
 38 consumer fireworks retail sales facility or store within 75 miles of the perimeter of the  
 39 boundaries of such county may locate one of the two temporary consumer fireworks  
 40 retail sales stands in the unserved county.

41 *By replacing lines 163 and 164 with the following:*

42 to persons or property as a result of selling consumer fireworks.

43 *By replacing lines 168 through 170 with the following:*

44 (b)(1) The initial license fee for a distributor selling consumer fireworks from a  
 45 permanent consumer fireworks retail sales facility shall be \$5,000.00 per location,  
 46 payable to the Safety Fire Commissioner. Upon a finding that a distributor has

47 *By replacing lines 196 and 197 with the following:*

48 (c)(1) The license fee for a distributor selling consumer fireworks from a temporary  
 49 consumer fireworks retail sales stand shall be \$500.00 per location,

50 *By replacing lines 201 and 202 with the following:*

51 has met the requirements of paragraph (1) of subsection (a) of this Code section, has a  
 52 license pursuant to subsection (b) or (d) of this Code section for a location applicable to  
 53 the location of such temporary consumer fireworks retail sales stand as provided for in  
 54 subparagraph (b)(6)(B) of Code Section 25-10-2, has no more than the allowable

55 temporary consumer fireworks retail sales stands pursuant to subparagraph (b)(6)(B) of  
 56 Code Section 25-10-2, that the sales of

57 *By deleting lines 225 through 230 and redesignating paragraphs (4) through (6) as*  
 58 *paragraphs (3) through (5), respectively, on lines 231, 238, and 241.*

59 *By replacing lines 251 through 260 with the following:*

60 (d)(1) The initial license fee for a distributor selling consumer fireworks from a store  
 61 shall be \$5,000.00, payable to the Safety Fire Commissioner, provided that, if a store is  
 62 a retail chain, one payment of \$5,000.00 shall satisfy such license fee for each store of  
 63 the retail chain. Upon finding that a distributor has met the requirements of paragraph  
 64 (1) of subsection (a) of this Code section, such initial license shall be issued by the Safety  
 65 Fire Commissioner and, if issued to a store which is a retail chain, shall be a license for  
 66 each current or future store of the retail chain. Such initial license shall expire on January  
 67 31 of the year after such initial license was issued. After such initial license, such  
 68 distributor may annually renew such initial license for \$1,000.00 per year, payable to the  
 69 Safety Fire Commissioner, provided that, if a store is a retail chain, one payment of  
 70 \$1,000.00 shall satisfy such license fee for each store of the retail chain. Upon finding  
 71 that a distributor has met the requirements of paragraph (1) of subsection (a) of this Code  
 72 section, such annual license shall be issued by the Safety Fire Commissioner and, if  
 73 issued to a store which is a retail chain, shall be a license for each current or future store  
 74 of the retail chain.

75 *By replacing lines 287 and 288 with the following:*

76 owner thereof by the state fire marshal, the Georgia State Patrol, or any sheriff or local  
 77 police official."

78 *By replacing "(e)" with "(g)" on line 324 and by replacing lines 322 and 323 with the*  
 79 *following:*

80 (d) Notwithstanding subsections (a) and (b) of this Code section, the governing authority  
 81 of a county may further regulate the sale of consumer fireworks from temporary consumer  
 82 fireworks retail sales stands.

83 (e) The governing authority of a county shall not unreasonably delay or deny an  
 84 application for a temporary consumer fireworks retail sales stand.

85 (f) For purposes of this subsection, the terms 'consumer fireworks' and 'consumer  
 86 fireworks retail sales stand' shall have the same meanings as provided in Code Section  
 87 25-10-1.