

SESSION OF 2025

SUPPLEMENTAL NOTE ON SENATE BILL NO. 199

As Amended by Senate Committee on
Commerce

Brief*

SB 199, as amended, would permit year-round fireworks sales under certain conditions and make additional changes to law related to the sale of fireworks.

Permanent and Seasonal Fireworks Retailers

The bill would allow sales of fireworks to the public for personal use by individuals registered with the State Fire Marshall as permanent retailers from permanent structures at permanent locations within the state. Sales by permanent retailers would be required to be made from a physical location.

Permanent retailers would be required to register annually with the State Fire Marshal; that registration would allow them to lawfully possess and convey fireworks, subject to applicable law. The registration would be required to include certain business contact information, addresses for locations at which fireworks will be sold, and time periods in which such sales will occur.

Seasonal retailers would not be required to register as such with the State Fire Marshal, but would be limited to sales during the period of June 20 through July 7 of the calendar year.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

Categories of Distributors

The bill would replace the definition of “distributor” in current law with three categories of distributor and create corresponding categories of license. “Unlimited distributor” would be defined to mean a person engaged in any of the activities of distributors as found in current law in addition to the activities of permanent retailers established by the bill, while distributors of display fireworks and distributors of articles pyrotechnic would be limited to distributing fireworks corresponding to the respective terms. [Note: The terms “display fireworks” and “articles pyrotechnic” are defined in rules and regulations of the State Fire Marshal and are not defined in the bill.]

The bill would exclude from the definition of “unlimited distributor” but include in the definition of “distributor of display fireworks” persons transporting fireworks through Kansas to another state, persons selling consumer fireworks as a seasonal or permanent retailer, freight delivery companies or common carriers, or out-of-state persons selling, transporting, delivering, or giving fireworks to a licensed manufacturer or distributor.

Additional Provisions

The bill would make it unlawful to possess, purchase, sell, or offer for sale fireworks labeled “For Professional Use Only” without a current license issued by the State Fire Marshal.

The bill would require the State Fire Marshal to adopt rules and regulations to implement the provisions of the bill.

Background

The bill was introduced by the Senate Committee on Commerce at the request of Senator Tyson.

Senate Committee on Commerce

In the Senate Committee hearing, **proponent** testimony was provided by representatives of Jake's Fireworks and Kapaun Mt. Carmel High School. The proponents generally stated the bill would help to enable non-profits to sell fireworks to raise funds for their annual operating budgets while enabling Kansas fireworks businesses to earn income year-round and make them more competitive with fireworks businesses in surrounding states.

Written-only opponent testimony was provided by a private citizen.

Neutral testimony was provided by the State Fire Marshal, who stated the bill would make a number of changes that would be beneficial for the regulation of the fireworks industry but the expansion of fireworks sales would result in more injuries and losses to fire each year.

No other testimony was provided.

The Committee amended the bill to:

- Remove a prohibition against sales of fireworks made over the internet or by mail;
- Remove registration and sale location requirements for seasonal retailers; and
- Make technical changes.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill as introduced, the State Fire Marshal estimates enactment of the bill would require \$132,000 of expenditures from the Fire Marshal Fee Fund in FY 2026 and \$83,000 of expenditures in FY 2027, which would be made to

support the addition of 1.00 FTE position responsible for managing the annual registration of fireworks stands and ensuring compliance with the provisions of the bill.

The Department of Revenue indicates increased fireworks sales resulting from enactment of the bill could have the effect of increasing sales tax revenues by an unknown amount.

Any fiscal effect associated with enactment of SB 199 is not reflected in *The FY 2026 Governor's Budget Report*.

Fireworks; fireworks season; fireworks sales; State Fire Marshal