

## HOUSE BILL NO. HB0106

County fireworks bans.

Sponsored by: Representative(s) Moniz, Brown and Greene  
and Senator(s) Driskill

A BILL

for

1 AN ACT relating to counties; providing for regulation of  
2 the sale or use of fireworks pursuant to county  
3 commissioner resolution as specified; amending prohibition;  
4 and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 35-10-208(a)(intro), (i), (b) and (c)  
9 is amended to read:

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11 **35-10-208. County regulation of fireworks.**

12

13 (a) For the purpose of this section "fireworks" means  
14 only those items which may be sold or offered for sale  
15 under 15 U.S.C. § 1261, 21 U.S.C. § 371 and 16 C.F.R.,  
16 Commercial Practices, part 1507. A board of county

1 commissioners may, ~~subject~~ by resolution or pursuant to  
2 subsection (b) of this section:

3

4 (i) Prohibit the sale ~~to Wyoming residents~~ or  
5 use of fireworks by adopting a resolution; ~~under W.S.~~  
6 ~~35-9-301,~~

7

8 (b) ~~Notwithstanding subsection (a) of this section,~~  
9 ~~the proposition to prohibit, or authorize in counties that~~  
10 ~~currently prohibit, the sale or use of fireworks in a~~  
11 ~~county shall be submitted to the electors of the county~~

12 Upon receipt by the board of county commissioners of a  
13 petition requesting ~~the~~ an election signed by a number of  
14 the electors of the county equal to fifteen percent (15%)  
15 of the total number of votes cast at the general election  
16 immediately preceding the date on which the petition is  
17 submitted, ~~or by resolution of the board of county~~

18 ~~commissioners~~ a proposition to prohibit, or authorize in  
19 counties that currently prohibit, the sale or use of  
20 fireworks in a county shall be submitted to the electors of

21 the county. The proposition shall be submitted at a  
22 primary or general election, if the petition or resolution  
23 is certified sixty (60) days prior to the primary or  
24 general election. If the proposition fails, no such

1 petition shall be submitted for four (4) years following  
2 the election.

3

4 (c) Any resolution adopted by a county prohibiting  
5 the sale or use of fireworks which was in effect on  
6 February 1, 1990, is deemed to be valid unless amended or  
7 repealed by the board of county commissioners pursuant to  
8 subsection (a) or (b) of this section.

9

10 **Section 2.** This act is effective July 1, 2014.

11

12

(END)