Substitute for SENATE BILL NO. 214

By Committee on Federal and State Affairs

AN ACT concerning bottle rockets; amending K.S.A. 31-155 and 31-156 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1.   K.S.A. 31-155 is hereby amended to read as follows: 31-155. (a) Except as provided in subsection (c):

(1)   It shall be unlawful to sell, offer to sell, or to possess with intent to sell or offer for sale a bottle rocket; and

(2)   it shall be unlawful to ignite, fire, set-off or otherwise use a bottle rocket.

(b)   Any person violating the provisions of subsection (a) shall be guilty of an unclassified misdemeanor punishable by a fine of not more than $100.

(c)   The provisions of this section shall not prohibit the possession ~~or transportation of bottle rockets by a manufacturer or wholesaler thereof for sale outside this state if such manufacturer or wholesaler is currently registered with the state fire marshal pursuant to K.S.A. 31-156,~~ transportation or sale of bottle rockets within Kansas by a person that is currently registered with the state fire marshal pursuant to K.S.A. 31-156, and amendments thereto, to another current registered person or to a non-registered person provided the non-registered purchaser submits a certification for resale outside the state of Kansas to the registered seller on a form prescribed by the state fire marshal. The registered seller shall send the certification to the office of the state fire marshal and maintain a copy of the certification for one year from the date of sale.

(d)   ~~As used in this act,~~ "Bottle rocket" means any pyrotechnic device which:

(1)   Is classified as a class C explosive by the United States department of transportation

(c)   The state fire marshal shall adopt rules and regulations necessary to enforce the provisions of this act.

Sec. 3.   K.S.A. 31-155 and 31-156 are hereby repealed.

Sec. 4.   This act shall take effect and be in force from and after its publication in the statute book.