

STAND. COM. REP. NO. 290

Honolulu, Hawaii

**FEB 12 2025**

RE: S.B. No. 1324  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2025  
State of Hawaii

Sir:

Your Committees on Public Safety and Military Affairs and Transportation and Culture and the Arts, to which was referred S.B. No. 1324 entitled:

"A BILL FOR AN ACT RELATING TO FIREWORKS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Amend multiple definitions and penalties for fireworks offenses, including heightened penalties if another person suffers substantial bodily injury, serious bodily injury, or death as a result of the fireworks offenses;
- (2) Establish criminal offenses of general fireworks or articles pyrotechnic prohibitions in the first and second degree; sending or receiving fireworks or articles pyrotechnic by air delivery; distributing fireworks or articles pyrotechnic to non-permit holder; removal or extraction of pyrotechnic contents; consumer fireworks prohibitions; refusal to provide identification; and violating requirements of carrier;
- (3) Establish an adjudication system and procedures to process fireworks infractions; and
- (4) Appropriate funds.



Your Committees received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the County of Maui, Honolulu Police Department, Hawaiian Humane Society, Keiki Injury Prevention Coalition, and sixteen individuals.

Your Committees received testimony in opposition to this measure from the Office of the Public Defender; Hawaii Explosives & Pyrotechnics, Inc.; Libertarian Party of Hawaii; and three individuals.

Your Committees find that criminal statutes serve as a deterrent to illegal activity when they are effectively enforced and prosecuted. For many years, however, Hawaii's state laws regarding illicit fireworks have made it difficult for state and county agencies to enforce or prosecute these types of cases. Only a small number of criminal fireworks cases have been initiated by law enforcement, and an even smaller number have been prosecuted, resulting in a largely ineffective deterrent to the distribution and use of illicit fireworks. This measure provides greater clarity and efficiency for law enforcement, prosecutors, and the courts that handle these cases.

Your Committees note that although general fireworks or articles pyrotechnic prohibitions in the first degree prohibits throwing, catapulting, or otherwise manually propelling any ignited consumer fireworks, aerial devices, display fireworks, or articles pyrotechnic under certain circumstances, it does not prohibit throwing, catapulting, or otherwise manually propelling ignited fireworks or articles pyrotechnics in and of itself.

Accordingly, your Committees have amended this measure by:

- (1) Specifying that a person commits the offense of general fireworks or articles pyrotechnic prohibitions in the second degree if the person intentionally, knowingly, or recklessly throws, catapults, or otherwise manually propels ignited consumer fireworks, aerial devices, display fireworks, or articles pyrotechnic;
- (2) Making conforming amendments; and



- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety and Military Affairs and Transportation and Culture and the Arts that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1324, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1324, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Public Safety and Military Affairs and Transportation and Culture and the Arts,



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CHRIS LEE, Chair



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BRANDON J.C. ELEFANTE, Chair





The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Transportation and Culture and the Arts**  
**TCA**

Bill / Resolution No.:* <b>SB 1324</b>	Committee Referral: <b>PSM/TCA, JDC/WAM</b>	Date: <b>2-5-25</b>
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The Committee is reconsidering its previous decision on this measure.  
If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
 Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
KANUHA, Dru Mamo	✓			
DECORTE, Samantha			✓	
<b>TOTAL</b>	<b>4</b>		<b>1</b>	

Recommendation:      Adopted      Not Adopted

Chair's or Designee's Signature:  
*Lorraine R. Inouye*

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\*Only one measure per Record of Votes