

H.B. NO. 1041

A BILL FOR AN ACT

RELATING TO FIREWORKS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that illegal use of
2 fireworks in Hawaii has caused brush fires, structural fires,
3 injuries, and even death despite the various local, state, and
4 federal laws governing the manufacture, transportation,
5 distribution, sale, and use of fireworks that continue to be
6 violated at what appears to be an increasing rate. While law
7 enforcement efforts to control illegal fireworks in Hawaii have
8 had limited results, the legislature finds that a concerted
9 multi-jurisdictional approach is needed to address the illegal
10 fireworks problem in Hawaii.

11 The purpose of this Act is to establish an illegal
12 fireworks task force to plan, coordinate, and engage in law
13 enforcement operations to interdict illegal fireworks, develop a
14 comprehensive strategic plan to stop the importation of illegal
15 fireworks and explosives into Hawaii, promote compliance with
16 the state fireworks control laws, and ensure the safety and
17 security of the airports, harbors, and other facilities and

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1 institutions in the State against the discharge of illegal
2 fireworks and explosives.

3 SECTION 2. (a) There shall be established within the
4 department of law enforcement for administrative purposes the
5 illegal fireworks task force. The task force shall use the
6 findings from the legislative reference bureau's 2019 report,
7 "Blast from the Past: An Update to the Report of the Illegal
8 Fireworks Task Force to the Legislature for the Regular Session
9 of 2011", as the basis for developing a comprehensive strategic
10 plan to stop the importation of illegal fireworks and explosives
11 into Hawaii, promote compliance with the state fireworks control
12 laws, and ensure the safety and security of the airports,
13 harbors, and other facilities and institutions in the State
14 against the discharge of illegal fireworks and explosives.

15 (b) The director of law enforcement or the director's
16 designee shall be the chair of the task force.

17 (c) The following individuals or their designees shall
18 serve as members of the task force:

- 19 (1) Attorney general;
20 (2) Deputy director of the harbors division of the
21 department of transportation;
22 (3) Chief of police of each county police department; and

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- 1 (4) Prosecuting attorney of each county.
- 2 (d) The chair shall invite representatives of the
- 3 following federal entities to serve as members of the task
- 4 force:
- 5 (1) United States Attorney's Office, District of Hawaii;
- 6 (2) United States Department of Homeland Security;
- 7 (3) Federal Bureau of Alcohol, Tobacco, Firearms, and
- 8 Explosives;
- 9 (4) Federal Bureau of Investigation;
- 10 (5) United States Coast Guard;
- 11 (6) United States Customs and Border Protection; and
- 12 (7) United States Drug Enforcement Administration.
- 13 (e) The task force and their represented agencies may
- 14 plan, coordinate, and engage in law enforcement operations to
- 15 interdict illegal fireworks and the task force shall develop a
- 16 comprehensive strategic plan to stop the importation of illegal
- 17 fireworks and explosives into Hawaii, promote compliance with
- 18 the state fireworks control laws, and ensure the safety and
- 19 security of the airports, harbors, and other facilities and
- 20 institutions in the State against the discharge of illegal
- 21 fireworks and explosives.

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1 (f) The task force shall submit a report of its
2 comprehensive strategic plan, including findings,
3 recommendations, and any proposed legislation, to the
4 legislature no later than twenty days prior to the convening of
5 the regular session of 2024 and no later than twenty days prior
6 to the convening of the regular session of 2025.

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$_____ or so
9 much thereof as may be necessary for fiscal year 2023-2024 and
10 the same sum or so much thereof as may be necessary for fiscal
11 year 2024-2025 to carry out the purposes of this Act, including
12 the hiring of necessary administrative support staff for the
13 task force, operation of the task force, and reimbursement of
14 funds to law enforcement agencies for task-force-related law
15 enforcement operations, including law enforcement personnel,
16 overtime and other salary-related payments, charges for fuel,
17 equipment, and storage and disposal of confiscated fireworks.

18 The sums appropriated shall be expended by the department
19 of law enforcement.

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1 SECTION 4. This Act shall, upon its approval, take effect
2 on July 1, 2023, and shall be repealed on June 30, 2025.

3

4 INTRODUCED BY: Ron

5

BY REQUEST

JAN 23 2023

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Report Title:

Illegal Fireworks Task Force; Law Enforcement; Fireworks

Description:

Establishes the Illegal Fireworks Task Force within the Department of Law Enforcement to plan, coordinate, and engage in law enforcement operations to interdict illegal fireworks, develop a comprehensive strategic plan to stop the importation of illegal fireworks and explosives into the State, promote compliance with the fireworks control laws, and ensure the safety and security of airports, harbors, and other facilities and institutions in the State against the discharge of illegal fireworks and explosives. Requires a report to the Legislature. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

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JUSTIFICATION SHEET

DEPARTMENT: Law Enforcement

TITLE: A BILL FOR AN ACT RELATING TO FIREWORKS.

PURPOSE: To establish the Illegal Fireworks Task Force within the Department of Law Enforcement to plan, coordinate, and engage in law enforcement operations to interdict illegal fireworks, develop a comprehensive strategic plan to stop the importation of illegal fireworks and explosives into the State, promote compliance with the fireworks control law, and ensure the safety and security of airports, harbors, and other facilities and institutions in the State against the discharge of illegal fireworks and explosives. The bill also requires a report to the legislature and appropriates funds.

MEANS: Establishes the Illegal Fireworks Task Force within the Department of Law Enforcement.

JUSTIFICATION: Despite existing county, state, and federal laws prohibiting the importation, distribution, possession, or use of illegal fireworks, the communities in Hawaii continue to see an increase in illegal fireworks. The Illegal Fireworks Task Force is needed to undertake a comprehensive collaborative review of the problem, plan, coordinate, and engage in law enforcement operations to interdict illegal fireworks.

Impact on the public: There will be a positive impact to the public as the task force develops the required strategic plan that will help stop the importation of illegal fireworks and explosives into the State, promote compliance with the fireworks control law, and ensure the safety and security of airports, harbors, and other facilities and institutions in the State

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against the discharge of illegal fireworks
and explosives.

Impact on the department and other agencies:

The proposed measure will bring state,
county, and federal partners together to
develop a successful solution to the
fireworks problems in Hawaii.

GENERAL FUND: _____.

OTHER FUNDS: None.

PPBS PROGRAM

DESIGNATION:

OTHER AFFECTED

AGENCIES:

Department of Transportation, Department of
the Attorney General, county police
departments, county prosecutor offices, and
various federal agencies upon invitation.

EFFECTIVE DATE: Upon approval.