

Honolulu, Hawaii

FEB 14 2025

RE: S.B. No. 999
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
Commerce and Consumer Protection, to which was referred S.B.
No. 999 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) Repeal all permissible uses of consumer fireworks and
make conforming amendments to the Fireworks Control Law;
- (2) Establish civil penalties for the use and sale of
consumer fireworks, including nuisance abatement
proceedings and forfeiture of assets used in the
commission of the illegal use or sale of consumer
fireworks; and
- (3) Establish the Firework Forfeiture Special Fund to
deposit asset forfeiture proceeds and to provide for
community safety education programs.

Your Committees received testimony in support of this measure
from the Department of Law Enforcement, Honolulu Police
Department, Hawaiian Humane Society, and five individuals.



Your Committees received testimony in opposition to this measure from the Retail Merchants of Hawaii, Phantom Fireworks, TNT Fireworks, Libertarian Party of Hawaii, and three individuals.

Your Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that better enforcement of the fireworks control laws is essential not only to safeguard property from preventable fire damage, but also to protect the community from injuries related to fire and explosions, respiratory issues caused by air pollution, and ongoing trauma experienced by individuals and pets due to loud explosions. This measure establishes civil actions, including nuisance abatement proceedings and asset forfeiture provisions, providing several tools that will enhance capability to deter illegal fireworks violations.

Your Committees acknowledge the concerns expressed in the testimony received at the public hearing on this matter regarding the restriction of fireworks for cultural purposes. Accordingly, your Committees find that amendments to the measure are necessary to retain certain elements of the existing law rather than amending or repealing them at this time.

Your Committees have amended this measure by:

- (1) Deleting language that would have established a Special Fund;
- (2) Restoring existing language relating to permissible uses of consumer fireworks and making conforming amendments;
- (3) Changing the fine amount for setting off, igniting, or discharging a consumer fireworks without a valid permit and a person responsible for the real property who allows such action from \$500 to \$1,000;
- (4) Specifying that the setting off, igniting, or discharging of a consumer fireworks without a valid permit shall complete two hours of fireworks education within a set period of time designated by the court; provided that if the two hours of required firework education is not completed within the designated time,



the court may impose an additional sentence of two hours of community service; provided further that the court may continue imposing an additional two hours of community service every six months thereafter;

- (5) Changing the percentage of fines collected that are paid to the State from twenty percent to fifty percent;
- (6) Changing the percentage of fines collected that are paid to the county in which the fine was imposed from eighty percent to fifty percent;
- (7) Specifying that one hundred percent of collected proceeds from forfeited assets shall go to the general fund;
- (8) Appropriating an unspecified amount out of the general fund for fiscal years 2025-2026 and 2026-2027 to provide for community safety education programs, with the funds to be expended by the Department of Law Enforcement;
- (9) Amending section 1 to reflect its amended purpose;
- (10) Inserting an effective date of July 1, 2077, to encourage further discussion; and
- (11) 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 Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 999, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 999, S.D. 1, and be referred to your Committees on Ways and Means and Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Public Safety and
Military Affairs and Commerce
and Consumer Protection,



JARRETT KEOHOKALOLE, Chair



BRANDON J.C. ELEFANTE, Chair



Record of Votes
Committee on Public Safety and Military Affairs
PSM

*Only one measure per Record of Votes

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB999	Committee Referral: ISM/CPN, WAM/JDC	Date: 2/11/25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.				✓
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton				✓
TOTAL	3			2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="text-align: center;">Original File with Committee Report</div> <div style="text-align: center;">Yellow Clerk's Office</div> <div style="text-align: center;">Pink Drafting Agency</div> <div style="text-align: center;">Goldenrod Committee File Copy</div> </div>				

***Only one measure per Record of Votes**