COMMITTEE REPORT

March 14, 2012

**S. 1066**

Introduced by Senators McConnell and Ford

S. Printed 3/14/12--S.

Read the first time January 10, 2012.

**THE COMMITTEE ON JUDICIARY**

To whom was referred a Bill (S. 1066) to amend Chapter 35, Title 23, Code of Laws of South Carolina, 1976, relating to fireworks and explosives, by adding Section 23‑35‑180, so as to permit, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Chapter 35, Title 23 of the 1976 Code is amended by adding:

“Section 23‑35‑180. A local governing body, as defined in Section 23‑35‑175(A)(3), may, by ordinance, regulate the discharge of otherwise lawful fireworks. The regulation must provide for reasonable limits regarding the time in which the fireworks may be discharged. Such ordinance may only provide for civil penalties, not to exceed the jurisdiction of magistrates courts.” /

Renumber sections to conform.

Amend title to conform.

C. BRADLEY HUTTO for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

ESTIMATED FISCAL IMPACT ON GENERAL FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

ESTIMATED FISCAL IMPACT ON FEDERAL & OTHER FUND EXPENDITURES:

$0 (No additional expenditures or savings are expected)

**EXPLANATION OF IMPACT:**

There is no fiscal impact on the General Fund of the State or on federal and/or other funds.

**LOCAL GOVERNMENT IMPACT:**

The State Budget Division surveyed local governments to access the impact of this bill. One county responded there was not sufficient information in order to give an accurate impact. Another county indicated there would be no fiscal impact to them with the adoption of this bill.

*Approved By:*

Brenda Hart

Office of State Budget

**A** **BILL**

TO AMEND CHAPTER 35, TITLE 23, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIREWORKS AND EXPLOSIVES, BY ADDING SECTION 23‑35‑180, SO AS TO PERMIT A LOCAL GOVERNING BODY TO REGULATE THE DISCHARGE OF FIREWORKS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 35, Title 23 of the 1976 Code is amended by adding:

“Section 23‑35‑180. A local governing body, as defined in Section 23‑35‑175(A)(3), may, by ordinance, regulate the discharge of otherwise lawful fireworks. The regulation must provide for reasonable limits regarding the time and place in which the fireworks may be discharged. Such ordinance may only provide for civil penalties, not to exceed the jurisdiction of magistrates courts.”

SECTION 2. This act takes effect upon approval by the Governor.

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