

Date of Hearing: July 1, 2026

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

SB 828 (Cabaldon) – As Amended June 17, 2026

SENATE VOTE: 39-0

SUBJECT: Fireworks licenses and permits: disqualifying conditions: local jurisdictions

SUMMARY: Expands oversight of fireworks licensees by increasing disclosure and notification requirements, requiring additional coordination between the Office of the State Fire Marshal (OSFM) and local governments, establishing new inspection and enforcement authorities for the State Fire Marshal (SFM) and local agencies, imposing additional penalties for noncompliance, and expanding the grounds on which the SFM may deny or revoke a license. Specifically, **this bill:**

- 1) Provides that a violation relating to fireworks, as defined in specified existing law, that is an infraction is punishable by the following:
 - a) A fine not exceeding \$1,000 for a first violation.
 - b) A fine not exceeding \$2,000 for a second violation of the same ordinance within five years of the first violation.
 - c) A fine not exceeding \$5,000 for each additional violation of the same ordinance within five years of the first violation.
- 2) Adds to the list of “dangerous fireworks” in existing law any types of fireworks not examined and tested by the State Fire Marshal, excluding fireworks with a pending application for approval.
- 3) Alters the definition of “fireworks kit” in existing law to mean any assembly of materials or components, chemical substances, or mechanical parts that are packaged, marketed, or distributed with the intent that the purchaser will combine, mix, assemble, or otherwise prepare them into a device that, when completed, would meet the definition of fireworks under existing law, as specified.
- 4) Removes an existing exemption from State Fireworks Law for paper caps, thereby applying that law to paper caps.
- 5) Adds to the regulations that the SFM adopts relating to fireworks the determination of when a license is required for fireworks shipped to a California port that will not be sold in California.
- 6) Allows the SFM to deny, without hearing, an application for a license or renewal of a license, if within five years (instead of one year) before the date of application, the SFM has denied or revoked a license pursuant to existing law, as specified, for the same applicant on the grounds of violation of the State Fireworks Law.

- 7) Allows the SFM to deny or revoke any license issued pursuant to the State Fireworks Law if the SFM finds that:
 - a) The licensee has failed to provide to the SFM the documentation or information required pursuant to existing law, as specified.
 - b) The license applicant has failed to provide to the State Fire Marshal the documentation or information described in existing law, as specified, excluding documentation related to permits that may only be acquired by those who already possess a license.
- 8) Requires applicants for a wholesaler's license, a manufacturer's license, an importer's license, or an exporter's license to disclose the complete street addresses of any intended storage facilities for any fireworks or materials to build fireworks on their initial application.
- 9) Requires a wholesaler licensee, manufacturer licensee, importer licensee, or exporter licensee to notify the OSFM, the applicable city manager or, if there is no city manager, chief administrative officer, county administrator, sheriff, and police chief of the complete street addresses of any intended storage facilities for any fireworks or materials to build fireworks. A person who violates this provision shall be fined no less than \$10,000 and the SFM may revoke their license, in addition to any penalties imposed pursuant to State Fireworks Law.
- 10) Requires the State Fire Marshal, by regulation, to establish when the wholesaler licensee, manufacturer licensee, importer licensee, or exporter licensee shall provide the documentation required pursuant to this bill as necessary to carry out the purposes of this part.
- 11) Requires the OSFM, upon approval of an application for a wholesaler's license, a manufacturer's license, an importer's license, or an exporter's license, to notify the following parties of any storage site reported on the application:
 - a) The applicable county administrator and city manager or, if there is no city manager, chief administrative officer.
 - b) The applicable local fire chief.
 - c) The applicable local unified program agency as defined in existing law, as specified.
 - d) The applicable sheriff and police chief.
- 12) Authorizes the SFM, upon three days notice, to suspend any license for a period not exceeding 90 days (instead of 30 days under current law) pending investigation of any violation of the provisions of State Fireworks Law. This suspension is not subject to the hearing requirements of State Fireworks Law.
- 13) Authorizes the SFM to deny the application for a license or the application for renewal of a license filed by a person who meets any of the following conditions:

- a) The person has been convicted of any felony (rather than a felony involving explosives or dangerous fireworks under current law).
 - b) The person is under indictment or information for a crime punishable by imprisonment for a term exceeding one year.
 - c) The person is prohibited from handling explosives under federal law.
 - d) The person is ineligible for a Federal Explosives License issued by the United States Bureau of Alcohol, Tobacco, Firearms and Explosives.
 - e) The person was subject to either a previous federal or state seizure action related to fireworks or a previous denial or revocation of a federal or state fireworks license.
- 14) Requires the notice that all import and export licensees must file with the SFM before arrival of any class of fireworks subject to the license the import and export licensee holds to include the street address and county of the facilities in which the fireworks will be stored.
- 15) Requires an import or export licensee to provide the notice that all import and export licensees must file with the SFM before arrival of any class of fireworks subject to the license the import and export licensee holds to the local jurisdiction listed as the destination for the fireworks.
- 16) Requires a licensee to provide to the SFM the following, if applicable:
- a) Documentation affirming the possession of a permit applicable to fireworks activity required by the public agency having local jurisdiction pursuant to State Fireworks Law.
 - b) Documentation affirming the possession of a Federal Explosives License issued by the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives.
 - c) Documentation affirming possession of necessary local land use permits or other entitlements required by the public agency having local jurisdiction pursuant to State Fireworks Law.
 - d) Information about the storage sites for the fireworks.
- 17) Requires the SFM to allow the applicable public agency an opportunity to validate the permit or entitlement assertions of the licensee as described in 16) a), c), and d), above, and to furnish to the public agency a copy of any license issued to the licensee, as specified.
- 18) Requires the SFM, by regulation, to establish when the licensee shall provide the documentation required pursuant to 16), above, as specified.
- 19) Requires, upon validation pursuant to 17), above, the applicable public agency, including a city, county, city and county, or fire protection district, to impose reasonable fees and conduct inspections consistent with 20) through 24), below.

- 20) Allows a public agency having local jurisdiction pursuant to State Fireworks Law, including a city, county, city and county, or fire protection district, to adopt by ordinance or resolution a schedule of fees to recover the reasonable costs incurred in administering, processing, inspecting, and enforcing the conditions of permits required pursuant to State Fireworks Law for fireworks activities or storage within its jurisdiction. Fees may include, but are not limited to, costs associated with any of the following:
- a) Reviewing applications and documentation, as specified.
 - b) Conducting initial and annual inspections of facilities or storage sites where fireworks are manufactured, stored, sold, or otherwise handled.
 - c) Verifying compliance with local land use, zoning, and fire safety regulations.
 - d) Responding to complaints or violations related to fireworks operations.
- 21) Requires all fees collected pursuant to 20), above, to be deposited into a special fund of the public agency having local jurisdiction pursuant to State Fireworks Law and used exclusively for the activities described in 20), above.
- 22) Provides that the chief of the fire department, fire marshal, or chief fire prevention officer of the city, county, city and county, or fire protection district or other public agency having jurisdiction pursuant to State Fireworks Law, or their authorized representative, is authorized to enter and inspect, at reasonable times, any premise, facility, or storage site used for the manufacture, storage, sale, or display of fireworks to determine compliance with State Fireworks Law, the regulations of the SFM, and applicable local fire codes.
- 23) Requires a public agency having local jurisdiction pursuant to State Fireworks Law, including a city, county, city and county, or fire protection district, at least once every 12 months, to inspect each fireworks facility or storage site within its jurisdiction. The inspection shall include verification of the following:
- a) Permit validity and required documentation, as specified.
 - b) Compliance with the fireworks storage, separation, and safety requirements of Title 19 (commencing with Section 1.00) and Title 24 of the California Code of Regulations.
 - c) Maintenance of required fire protection systems and safety signage.
- 24) Allows a public agency having local jurisdiction pursuant to State Fireworks Law, including a city, county, city and county, or fire protection district, to require correction of any unsafe or noncompliant condition identified during inspection and may suspend or revoke the local permit until compliance is achieved. If a public agency suspends or revokes the local permit, the public agency shall notify the SFM.
- 25) Provides that nothing in 22) through 24), above, diminishes or otherwise affects the authority of the Division of Occupational Safety and Health to inspect places of employment or enforce occupational safety and health standards established pursuant to existing law at

places of employment where fireworks are manufactured, stored, sold, displayed, maintained, or otherwise handled.

- 26) Allows local law enforcement agencies to seize any fireworks described in specified law and to charge any person, firm, or corporation, whose fireworks are seized pursuant to this section, an amount that is sufficient to cover the cost of transporting, storing, and handling the seized fireworks, as specified.
- 27) Removes a provision in existing law that requires a local government entity that collects fines or penalties when dangerous fireworks are seized pursuant to a local ordinance that provides for administrative fines or penalties to forward 65% of the collected moneys to the State Controller for deposit in the SFM Fireworks Enforcement and Disposal Fund.
- 28) Makes a number of minor technical and conforming changes.
- 29) Provides that no reimbursement is required by this bill pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution. However, if the Commission on State Mandates determines that this bill contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made, as specified.

EXISTING LAW:

- 1) Establishes the SFM, within the Department of Forestry and Fire Protection (CALFIRE), as specified. (Health & Safety Code § 13100)
- 2) Requires, pursuant to the State Fireworks Law, the SFM to adopt regulations relating to fireworks as may be necessary for the protection of life and property, and requires these regulations to include, among other things, provisions for the granting of licenses and permits for the manufacture, wholesale, import, export, and sale of all classes of fireworks. (Health & Safety Code § 12552)
- 3) Authorizes the SFM to deny or revoke any firework license if the licensee or applicant: failed to pay their renewal fee; violated provisions, as specified; created a fire nuisance; failed to keep records, as specified; failed to file a required report; failed to share requested records; if a local jurisdiction rescinds prior approval; or if any condition exists that would have resulted in the SFM denying the application if the condition existed at the time of the original application. (HSC § 12560)
- 4) Authorizes the retail sale of safe and sane fireworks from June 28 to July 6, annually, pursuant to a license issued by the SFM, unless otherwise prohibited or regulated by law or ordinance. A new retail sales license shall be required annually for the period, as specified. (HSC § 12599)

- 5) Requires fireworks licensees seeking authorization for specified activities related to fireworks to submit a written application for a permit to the chief of the fire department or the chief fire prevention officer of the city or county, or to another issuing authority that may be designated by the governing body of the city or county, or, in the event there is no officer or person appointed within the area, to the SFM or the SFM's deputy, as provided. (HSC § 12640)
- 6) Requires all import and export licenses to file a notice with the SFM prior to the arrival of any class of fireworks subject to the specified license, and requires the notice to state all the following (HSC § 12619):
 - a) Estimated date of arrival.
 - b) Type, kind, and quantity of fireworks.
 - c) Name of carrier.
 - d) Point of origin and bill of lading number.
 - e) Name and address of consignee.
 - f) Load number or other identification carton marks.
- 7) Authorizes the SFM to deny the application for a license or the application for renewal of a license filed by a person who has been convicted of a felony involving explosives or dangerous fireworks or who has been convicted as a principal or accessory in a crime against property involving arson or any other fire-related offenses, as provided. (HSC § 12607)
- 8) Provides that if dangerous fireworks are seized pursuant to a local ordinance that provides for the administration of fines or penalties and these fines or penalties are collected, the local government entity collecting the fines or penalties shall forward 65% of the collected moneys to the State Controller for deposit in the SFM's Fireworks Enforcement and Disposal Fund. (HSC § 12726)
- 9) Authorizes the chief of the fire department, fire marshal, or chief fire prevention officer of the city, county, city and county, or fire protection district or other public agency, as specified, or their authorized representative, to enter and inspect, at reasonable times, any premise, facility, or storage site used for the manufacture, storage, sale, or display of fireworks to determine compliance with the State Fireworks Law, the regulations of the SFM, and applicable local fire codes. (HSC § 12640.3)

FISCAL EFFECT: This bill is keyed fiscal and contains a state-mandated local program.

COMMENTS:

- 1) **Author's Statement.** According to the author, "The July 2025 explosion in Esparto, California was a terrible tragedy in the Senate District that I represent. The lives of 7 people were taken that day, and their families are still reeling from their losses. There are so many questions about what went wrong here, and I have a responsibility to the district to make sure that we do what we can to prevent such dangerous conditions to develop – apparently with state and local officials unaware. Esparto was certainly not an isolated incident, though it was the most deadly in recent memory. Shown by the May 2023 seizure in Commerce of more than 100,000 lbs. of fireworks, illegal fireworks are entering, being stored, and being detonated in California at a level we've never seen before. And reveals how dangerous it can

be when responsibilities are fragmented, communication is inconsistent, or enforcement systems operate in silos.”

“By requiring upfront disclosure of storage locations and proof of local permits, SB 828 ensures alignment between state and local regulatory frameworks. This improves fire safety, enables better emergency response planning, and prevents unauthorized storage facilities. SB 828 also authorizes local agencies to adopt fee schedules to recover costs associated with permitting, inspection, and enforcement activities.”

- 2) **State Fireworks Law.** California’s Fireworks Law, established by AB 475 (Redwine, 1939), establishes a comprehensive scheme for regulating the use, manufacture, wholesale, import, export, and sale of all classes of fireworks. As described by the Attorney General, “generally speaking, the State Fireworks Law contemplates a system of state licenses governing various fireworks activities, supplemented by local permits where local control is called for.”

The State Fireworks Law authorizes retailers licensed by the SFM to sell certified “safe and sane” fireworks from June 28 to July 6 each year, unless otherwise prohibited by local ordinance. For example, the City of Los Angeles prohibits all fireworks. Public fireworks shows can be conducted by state-licensed pyrotechnicians with licenses obtained from the SFM, through the Fireworks Program. Approximately 290 communities in California currently allow the purchase and personal use of state-approved fireworks for the July Fourth holiday. Typically, non-profit organizations such as service clubs (like Rotary), Boy and Girl Scout troops, PTAs, Little Leagues, and other neighborhood associations operate fireworks stands.

- 3) **Fireworks Licensing and Regulations.** The SFM requires the licensing of all pyrotechnic operators, fireworks manufacturers, importer-exporters, wholesalers, retailers, and public display companies. Pyrotechnic operators who discharge fireworks at public displays or launch high powered and experimental rockets, must also pass a written examination and provide proof of experience. The State’s Explosives Law authorizes the SFM to adopt regulations for the safe use, handling, storage and transportation of explosives. Under those regulations, local law enforcement agencies track the location of storage magazines within their jurisdictions through a permit process. Special exemptions have been provided within the regulations to allow for limited possession and storage of some explosives, such as black powder, used by hunters and the sporting community.

All import and export licensees must file a notice with the State Fire Marshal prior to the arrival of any class of fireworks subject to the specified license. The notice must include:

- Estimated date of arrival;
- Type, kind, and quantity of fireworks;
- Name of carrier;
- Point of origin and bill of lading number;
- Name and address of consignee; and
- Load number or other identification carton marks.

The State Fire Marsal can deny or revoke a fireworks license if the applicant has:

- Violated State Fireworks Law;
- Caused a fire-related nuisance;
- Refused to make available their full, complete, and accurate records; or
- Been convicted of a felony involving explosives or dangerous fireworks or who has been convicted as a principal or accessory in a crime against property involving fire-related offenses.

The State Fire Marshal may also revoke a license if a permit issued by a local government has been revoked or rescinded, or if any condition exists that would have given the State Fire Marshal reason to refuse to issue a license when originally applied for.

To enforce compliance with State Fireworks Law, the State Fire Marshal may visit and inspect any building or other premises subject to the control of, or used by, the licensee for any purpose related to fireworks at any time. The State Fire Marshal may also inspect licensees' records.

The State Fire Marshal must establish and collect original and annual renewal fees for fireworks licenses. The fees cannot exceed the amount necessary to cover the Fire Marshal's administrative and enforcement costs.

Any violation of State Fireworks Law is a misdemeanor, punishable by fines of \$1,000 to \$2,000, imprisonment of up to one year, or both. Increasingly severe penalties apply for possession of dangerous fireworks, depending on the weight of fireworks possessed, such that possession of over 5,000 pounds of dangerous fireworks is a public offense punishable by up to three years imprisonment and a \$100,000 fine.

- 4) **Local Regulation of Fireworks.** The California Constitution allows cities and counties to “make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” It is from this fundamental power (commonly called the police power) that cities and counties derive their authority to regulate behavior to preserve the health, safety, and welfare of the public. Cities and counties use the police power to regulate behavior and discourage illegal activity through licensing, permitting, and enforcement. Cities and counties also derive their land use authority from their police powers. This authority allows them to spell out, through general plans and zoning ordinances, the types of developments that can be built in their jurisdiction, where that development can occur, and what conditions must be satisfied to be approved.

City and county land use decisions must be consistent with their general plan and zoning ordinances. Individuals seeking to construct new structures or change the existing use of a structure to a new use must generally apply to the city or county for a land use permit to do so. These requirements apply to facilities related to fireworks.

Local governments also oversee compliance with life safety codes for structures within their jurisdictions. City and county building departments are the enforcement agencies for the building code to ensure that structures that may be occupied by humans are safe. Additionally, the chief of any city or county fire department, or fire protection district is generally responsible for enforcing the building standards and other regulations of the State

Fire Marshal regarding fire and panic safety within its jurisdiction. Local governments can charge fees to recover their costs to administer and enforce these safety requirements.

- 5) **Local Permits for Fireworks.** Anyone wanting to conduct activities related to fireworks must possess a permit from the applicable local government, in addition to a state license. Specifically, anyone seeking to manufacture, import, export, store, possess, or sell fireworks, or conduct other specified activities related to fireworks, must submit a written application for a permit to the fire chief or other authority designated by the city or county for the activity. If the local government has not designated an authority, they must apply to the State Fire Marshal. A local government cannot accept an application unless the applicant demonstrates that they have a valid license issued by the State Fire Marshal for the activities specified in the application, and it can revoke the license for just cause where a fire nuisance exists or where personal injury may occur.

A fireworks licensee must allow the chief of the issuing authority, or the chief's authorized representatives, to enter and inspect any building or other premises for any purpose related to fireworks at any time for the purpose of enforcing the law.

If fireworks are seized pursuant to a local ordinance that provides for the administration of fines or penalties and these fines or penalties are collected, the local government entity collecting the fines or penalties must forward 65% of the amount collected to the State Controller for deposit in the State Fire Marshal's Fireworks Enforcement and Disposal Fund.

- 6) **2025 Esparto California Fireworks Explosion.** On July 1, 2025, a fire broke out at a fireworks warehouse in Esparto, California, located approximately 35 miles west of Sacramento in Yolo County. The fire caused several explosions in and around the warehouse culminating in a large blast, killing seven individuals and injuring two. According to the Yolo County District Attorney, the warehouse was storing approximately one million pounds of illegal fireworks at the time of the explosion.¹ At least two residential buildings were destroyed, and several others were damaged. The fire, named the Oakdale Fire, spread to 78 acres and was fully contained by July 6. On July 15, CALFIRE's OSFM announced that they were taking action to suspend the pyrotechnic licenses of individuals from Devastating Pyrotechnics Inc., and Blackstar Fireworks, who were identified in conjunction with the Esparto facility.

According to a July 25, 2025, article in the Sacramento Bee, a growing body of public records and interviews following the explosion "shows how the company and its associates repeatedly presented themselves as fireworks manufacturers despite lacking proper state licenses.² And they did so from a property without proper zoning or permits, where tens of thousands of explosives were stored – and where local officials had apparent ties." The article notes that, in addition to "marketing materials, presentations to public officials and license records, The Bee found that Devastating Pyrotechnics Inc. imported large quantities of chemicals commonly mixed to produce 'flash powder' used in fireworks. Experts said

¹ <https://www.kcra.com/article/6-people-indicted-esparto-explosions-court-thursday-arraignments/71039030>

² Was the Esparto fireworks facility a deadly powder keg hiding in plain sight?, <https://www.sacbee.com/news/local/article311329030.html>

those shipments were unusual for a display and wholesale company lacking a federal permit to process and manufacturer pyrotechnics.”

The 2025 July Esparto explosion followed a raid on a Southern California warehouse in May of that year, which according to a November 17, 2025, article in the Sacramento Bee, “belonged to the company whose facility in Esparto exploded a little more than a month later, killing seven people.”³ The article states that, “Cal Fire’s Office of the State Fire Marshal and the federal Bureau of Alcohol, Tobacco, Firearms and Explosives agents seized more than 100,000 pounds of illegal fireworks on May 21 at a warehouse in the Los Angeles suburb of Commerce. Some of these fireworks belonged to Kenneth Chee, owner of Devastating Pyrotechnics, the company at the center of multiple investigations into the deadly July 1 blast.”

The article states that, “[p]hotos provided by Cal Fire of the Commerce raid show boxes similar to those housed in storage containers on the Esparto site as shown in photographs posted online by one of the men killed in the blast. In images from both locations, the boxes show a bright orange shield indicating explosives, a label federally required for the transportation of hazardous material with fire and explosive danger.”⁴

In December of 2025, the Del Norte County Sheriff’s Office announced that deputies and the Yolo County District Attorney’s Criminal Investigation Bureau served a search warrant in Crescent City stemming from the ongoing investigation into the Esparto explosion. According to authorities, more than 100 pounds of illegal fireworks were uncovered, and one individual was arrested and booked on multiple related charges.

In April 2026, eight people were charged with a combined 30 charges related to the Esparto explosion, including murder, conspiracy to commit a crime, possession of illegal assault weapons, illegal explosives possession, insurance fraud, child endangerment and animal cruelty.⁵ The case is ongoing.

- 7) **Public Safety Fireworks Enforcement Task Force.** In response to the initial findings from the Esparto incident, the OSFM assembled and convened the Public Safety Fireworks Enforcement Task Force (Task Force). The purpose of the Task Force was to conduct a comprehensive review of current state laws and regulations related to fireworks, propose changes to enhance public safety, and develop a robust Fireworks Program_enforcement plan. The Task Force consisted of local public safety professionals from police, sheriff, and fire agencies representing various organizations and agencies throughout the State. The goal of the Task Force was to improve public safety by reducing both the fire and injury_incidents related to fireworks. The task Force released its report in March of this year with recommendations in the_following categories⁶:

³ Following warehouse fireworks raid, investigators failed to follow trail to Esparto, <https://www.sacbee.com/news/local/article312686990.html>

⁴ Fireworks explosion, https://www.sacbee.com/public/latest-news/92yk9t/picture309880420/alternates/FREE_960/0382_NSL_250702_FireworksExplosion.jpg

⁵ <https://www.cnn.com/2026/04/10/us/california-fireworks-warehouse-explosion-charges>

⁶ <https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/fire-engineering-and-investigations/2026/public-safety-fireworks-enforcement-task-force-with-appendix-a.pdf?rev=d3ce397c2b684c5d8b8eea00e041a6c1&hash=B20A786D949A1BD05DDCFD091D27587D>

1. State Fireworks Law
2. State Fireworks Regulations
3. Fireworks Program Application Process
4. Fireworks Program Inspection
5. Training Requirements for Individuals Involved in Handling Fireworks
6. Fireworks Enforcement Strategies

The Task Force's recommended changes to the State Fireworks Law include:

Clarifying The OSFM's Jurisdiction Over Fireworks Imported Via State Ports: The Task Force recommends that the OSFM promulgate a regulation adopting a definition of transit pursuant to the authorities in Health and Safety Code (HSC) section 12552 and determine whether changes to the HSC are needed.

Align The Health and Safety Codes' Felony Disqualification With The Department Of Justice: To ensure public safety and prevent felons from obtaining fireworks licenses, the Task Force recommends that HSC § 12607 align its licensure disqualifiers with the California Department of Justice's Firearms Prohibited Categories⁷.

Review The Chain of Approvals For License Issuance: The Task Force recommends that the OSFM review its licensing process to ensure that applicants have both an ATF license and a local permit, when required.

Move License Scope from Statute To Regulation: The Task Force identified a need for the OSFM to change license scope and definitions. To allow these changes to occur more timely in the future, the Task Force recommends that the licensing scope and definitions be moved from the State Fireworks Law to regulation.

Remove The Exception for Paper Caps: The State Fireworks Law has an exemption for paper caps containing less than 0.25 grains of pyrotechnic composition. The Task Force identified a challenge in ensuring that devices claiming to meet this exemption actually contain the legal amount or less. Removing this exemption would enable their contents to be controlled while still allowing them to be sold year-round. The exception for paper caps is difficult to confirm without verifying the pyrotechnic composition of the devices; therefore, the Task Force recommend deleting the exception for clarity.

Expanding or Clarifying the Definition of a Fireworks Kit: The Task Force recommends expanding the definition of a fireworks kit in statute to, at a minimum, include an expanded definition and a list of precursor chemicals, in order to remove challenges in using the definition in legal proceedings for those who possess precursor chemicals for making fireworks.

Increasing the Suspension Timeframe: The Task Force provided a recommendation that the statutory timeframe for suspensions be increased from 30 days to 90 days. This extension will allow the OSFM program staff to conduct a thorough investigation and prevent those licensees under investigation from operating.

⁷ <https://oag.ca.gov/system/files/media/Firearms-Prohibited-Categories.pdf>

Inclusion of Law Enforcement Agencies in the Inspection Authority: California Health and Safety Code § 12721 provides a list of agencies with explicit authority to seize fireworks. HSC § 12558 provides authority to conduct inspections and points to the listed authorities identified in HSC § 12721. The Task Force identified that local law enforcement agencies were not included in the list. The Task Force recommends that the law be updated to include local law enforcement's ability to assist, but not to be included in the right of entry in this statute.

Increase Allowable Fines for County Ordinances Relating to Fireworks: The Task Force recommends increasing the limit on fines imposed specifically for fireworks to allow county jurisdictions flexibility in issuing administrative citations and to allow for more punitive fines, in line with other cities' ordinances and state fines for dangerous fireworks.

- 8) **Bill Summary.** This bill expands oversight of fireworks and fireworks licensees. This bill:
- a) Requires the SFM to adopt regulations for determining when a license is required for fireworks that are shipped to a California port but will not be sold in California.
 - b) Modifies the definition of a fireworks kit and expands the definition of “dangerous fireworks” to include any types of fireworks that are not examined and tested by the SFM, as specified.
 - c) Repeals an exemption from State Fireworks Law for paper caps, thereby applying that law to these types of fireworks.
 - d) Requires applicants for a wholesaler’s license, a manufacturer’s license, an importer’s license, or an exporter’s license to disclose the complete street addresses of any intended storage facilities on the initial application. Holders of these licenses must notify the OSFM and specified local entities of the complete street addresses of intended storage facilities for any fireworks or materials to build fireworks. Licensees who violate this notification requirement are subject to a fine of at least \$10,000, and the SFM may revoke their license. Upon approval of an application for these licenses, the OSFM must notify specified local entities of any storage site reported on the application.
 - e) Requires a fireworks licensee to provide the following to the SFM: documentation affirming the possession of the applicable permit for the fireworks activity; necessary local land use permits or other entitlements; information about the storage sites for the fireworks; and, a Federal Explosives License. The SFM may revoke the license of a licensee who fails to provide this documentation and may deny a license to an applicant who fails to provide this documentation. The SFM must allow the applicable public agency an opportunity to validate the permit or entitlement assertions of the licensee and provide a copy of any applicable license to the public agency.
 - f) Authorizes a public agency to adopt a fee schedule to recover costs incurred in administering, processing, inspecting, and enforcing the conditions of permits for fireworks activities or storage within its jurisdiction.

- g) Repeals a requirement that a local governmental entity that collects fines or penalties when dangerous fireworks are seized to forward 65% of the funds to the State Controller for deposit in the SFM Fireworks Enforcement and Disposal Fund.
- h) Raises the maximum fine for violation of an ordinance relating to fireworks that is an infraction to \$1,000 for a first violation, \$2,000 for a 2nd violation of the same ordinance within five years, and \$5,000 for each additional violation of the same ordinance within five years of the first violation.
- i) Provides inspection authority to specified local agencies over any premise, facility, or storage site used for the manufacture, storage, sale, or display of fireworks to determine compliance with the State Fireworks Law, the regulations of the SFM, and applicable local fire codes. The public agency must inspect each fireworks facility or storage site within its jurisdiction at least once every 12 months. The local public agency may require correction of any unsafe or noncompliant condition identified during inspection and suspend or revoke the local permit until compliance is achieved. A public agency that suspends or revokes a local permit must notify the SFM.
- j) Requires import or export fireworks licensees, when they file a notice with the SFM before the arrival of any fireworks subject to their license, to include the street address and county of the facilities in which the fireworks will be stored and copies of applications related to applicable zoning and land use approvals. This notice must also be provided to the local jurisdiction listed as the destination for the fireworks.
- k) Authorizes local law enforcement agencies to seize any fireworks and to charge any person, firm, or corporation whose fireworks are seized an amount that is sufficient to cover the cost of transporting, storing, and handling the seized fireworks.
- l) Authorizes the SFM to deny, without hearing, an application for a license or renewal of a license, if the SFM denied or revoked a license for the same applicant due to violation of the State Fireworks Law within five years (instead of one year in existing law) before the date of application.
- m) Authorizes the SFM to suspend any license for up to 90 days (instead of 30 days in existing law) pending investigation of any violation of the State Fireworks Law, as specified.
- n) Expands the authority of the SFM to deny an application for a license or renewal of a license to include additional convictions, indictments, and other criteria, as specified.

This bill is sponsored by the author.

- 9) **Arguments in Support.** The California Association of Environmental Health Administrators (CAEHA) and the CUPA Forum Board, write, “SB 828 advances a critical public safety objective by strengthening coordination and information-sharing regarding facilities that store fireworks and related materials. These facilities pose inherent risks due to the presence of explosive and hazardous materials and ensuring that local agencies are fully informed is essential to protecting public health, environmental quality, and emergency responder safety.

“From an environmental health perspective, timely and accurate notification of storage locations is vital to preventing and mitigating incidents that can result in fires, explosions, or hazardous materials releases. Such incidents can have far-reaching consequences, including air and soil contamination, impacts on nearby communities, and long-term environmental damage. SB 828 supports a proactive approach by ensuring that key local agencies are aware of these facilities before an emergency occurs.

“Equally important, SB 828 strengthens first responder preparedness and effectiveness. Fire departments, hazardous materials teams, and local emergency managers rely on precise and complete information to safely respond to incidents. When responders know where hazardous materials are stored and understand the risks in advance, they can make informed decisions that protect both emergency personnel and the public.”

- 10) **Arguments in Opposition.** James B. Eadie writes, “I am a pyrotechnic operator, licensed by the California Office of the State Fire Marshal, and a rocket hobbyist residing in Santa Barbara County. I am writing on my own behalf to respectfully express an Oppose Unless Amended position on Senate Bill 828.

“While this bill is a prudent measure to strengthen fireworks enforcement, it contains language that creates a permit verification requirement that cannot be uniformly satisfied across all state-issued fireworks license types or in all local jurisdictions. The bill's intent is clearly focused on large-scale commercial fireworks enterprises, but the broad use of ‘licensees’ in Health and Safety Code Section 12640.1 (bill Section 15) extends this requirement to individual licensed pyrotechnic operators as well.

“Because the State Fireworks Law groups hobby rockets into the statutory definition of ‘dangerous fireworks’ (HSC § 12505(c)), existing law already requires a local permit for the storage of hobby rocket motors (HSC § 12677)...The result is a compliance dead-end: Section 12640.1 requires proof of a local permit that cannot be uniformly obtained across all jurisdictions, and subdivision (h) of Section 12590 (bill Sec. 7) penalizes that impossibility. A licensee could have their operator license revoked or denied renewal for failing to provide proof of having obtained a permit that does not exist, despite good-faith efforts to comply with the law in every other respect...

“I understand the question of how to make this workable has been referred for administrative examination through the Office of the State Fire Marshal, and I welcome that diligence. I would respectfully note, however, that the requirement originates in statute: it flows from the classification at section 12505(c) and the storage-permit mandate at section 12677. Where a local permitting process does not exist for this license class, no administrative clarification can create one or relieve the licensee of the documentation obligation the bill imposes. For that reason, I believe a narrow statutory clarification of the kind above is likely to be the durable solution...”

- 11) **Double-Referral.** This bill is double-referred to the Emergency Management Committee, where it passed on a 6-0 vote on June 15, 2026.

REGISTERED SUPPORT / OPPOSITION:

Support

American Promotional Events, INC.
California Association of Environmental Health Administrators (CAEHA)
California Cupa Forum
California Special Districts Association
City of Carson
County of Yolo

Support, If Amended

All District Leadership Group
Elmhurst Neighborhood Association
Los Paseos Neighborhood Association
27 individuals

Opposition

One individual

Analysis Prepared by: Angela Mapp / L. GOV. / (916) 319-3958