

SENATE BILL NO. 4—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF CLARK COUNTY)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the imposition of certain penalties by ordinance for certain violations relating to fireworks. (BDR 20-402)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to fireworks; revising provisions governing the authority of a board of county commissioners to enact certain ordinances related to fireworks; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, a board of county commissioners is authorized to pass
2 ordinances that: (1) regulate the sale, use, storage and possession of fireworks; and
3 (2) provide penalties for a violation of such an ordinance. (NRS 244.367) This bill:
4 (1) clarifies that the penalties that may be imposed for such a violation are criminal
5 or civil penalties, or both; and (2) limits the maximum amount of a civil penalty
6 that may be imposed pursuant to such an ordinance to \$50,000 for a single
7 violation.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 244.367 is hereby amended to read as follows:

2 244.367 1. The board of county commissioners shall have
3 power and jurisdiction in their respective counties to pass
4 ordinances ~~prohibiting~~:

5 *(a) Prohibiting*, restricting, suppressing or otherwise regulating
6 the sale, use, storage and possession of fireworks ; ~~and~~ and
7 ~~providing~~



1 ***(b) Providing for the imposition of criminal or civil*** penalties ,
2 ***or both,*** for the violation thereof. ***A civil penalty imposed pursuant***
3 ***to such an ordinance may not exceed \$50,000 for a single***
4 ***violation.***

5 2. An ordinance passed pursuant to subsection 1 must provide
6 that any license or permit that may be required for the sale of
7 fireworks must be issued by the licensing authority for:

8 (a) The county, if the fireworks are sold within the
9 unincorporated areas of the county; or

10 (b) A city located within the county, if the fireworks are sold
11 within the jurisdiction of that city.

12 **Sec. 2.** This act becomes effective upon passage and approval.

