

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 894 Session of 2021

INTRODUCED BY YAW, FONTANA, MENSCH, PHILLIPS-HILL, PITTMAN AND GEBHARD, OCTOBER 6, 2021

REFERRED TO AGRICULTURE AND RURAL AFFAIRS, OCTOBER 6, 2021

AN ACT

1 Amending the act of March 4, 1971 (P.L.6, No.2), entitled "An
 2 act relating to tax reform and State taxation by codifying
 3 and enumerating certain subjects of taxation and imposing
 4 taxes thereon; providing procedures for the payment,
 5 collection, administration and enforcement thereof; providing
 6 for tax credits in certain cases; conferring powers and
 7 imposing duties upon the Department of Revenue, certain
 8 employers, fiduciaries, individuals, persons, corporations
 9 and other entities; prescribing crimes, offenses and
 10 penalties;" in fireworks, further providing for use of
 11 consumer fireworks and for penalties.

12 The General Assembly of the Commonwealth of Pennsylvania
 13 hereby enacts as follows:

14 Section 1. Section 2404 of the act of March 4, 1971 (P.L.6,
 15 No.2), known as the Tax Reform Code of 1971, is amended by
 16 adding a subsection to read:

17 Section 2404. Use of consumer fireworks.

18 * * *

19 (c) Time and day prohibitions.--

20 (1) Except as provided in paragraphs (2) and (3), a
 21 person may not intentionally use consumer fireworks between
 22 the hours of 11 p.m. and 10 a.m.

1 (2) On July 2, 3 and 4 and December 31, a person may use
2 consumer fireworks until 1 a.m the following day.

3 (3) If July 4 falls on a Tuesday, Wednesday or Thursday,
4 a person may use consumer fireworks until 1 a.m. on the
5 immediately preceding and following Friday and Saturday.

6 Section 2. Section 2414(1) of the act is amended to read:

7 Section 2414. Penalties.

8 The following shall apply:

9 (1) A person using consumer fireworks in violation of
10 the provisions of this article commits a summary offense and,
11 upon conviction, shall be punished [by a fine of not more
12 than \$100.] as follows:

13 (i) For a first offense, by a fine of not more than
14 \$1,000.

15 (ii) For a second offense, by a fine of not more
16 than \$2,500.

17 (iii) For a third or subsequent offense, by a fine
18 of not more than \$5,000.

19 * * *

20 Section 3. This act shall take effect in 60 days.