



**DEPARTMENT OF FORESTRY AND FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL**

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ATTACHMENT 7

Date: May 23, 2013

To: State Board of Fire Services

From: Ben Ho
Division Chief
Fire Engineering/Arson Bomb

Subject/Agenda Action Item:

Fireworks Disposal Update. This regular update is for information only and no action is required.

Recommended Actions: NA

Background Information:

California Health and Safety Code (HSC) § 12726 delegates the CAL FIRE- Office of the State Fire Marshal (OSFM) the responsibility for the destruction of dangerous and illegal fireworks once they are seized by local fire departments and law enforcement agencies. Currently, there is no sustainable funding source in place for the fireworks disposal program.

Analysis/Summary of Issue:

The authorized funding source for the program by Senate Bill 839 has not been adequate because local jurisdictions, already working with overburdened court systems, often opt to assess an administrative fine that is kept at the local level. Further, the one-time funding (Department of Toxic Substances Control enforcement action settlement agreement) has been depleted. We have explored other alternatives including a possible increase to the fireworks license fee; however, the fee increase may have a major financial impact to non-profit groups. Therefore, the OSFM is working with the administration in seeking funding from the General Fund. The Budget Change Proposal has been submitted and discussions are ongoing with the Department of Finance.