

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H.B. 382  
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HOUSE PRINCIPAL CLERK

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HOUSE DRH10153-LH-83 (02/19)

Short Title: Pyrotechnics/UNC School of Arts Exception. (Public)

Sponsors: Representatives Hanes, Conrad, Terry, and Lambeth (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT CERTAIN PROHIBITIONS AND REQUIREMENTS  
3 REGARDING PYROTECHNICS DO NOT APPLY TO THEATRICAL  
4 PERFORMANCES, FILM PRODUCTIONS, AND OTHER THEATRICAL  
5 PRESENTATIONS PRODUCED, PRESENTED, OR SPONSORED BY THE  
6 UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS THAT ARE  
7 PRESENTED ON PROPERTY OWNED OR LEASED BY THE UNIVERSITY OF  
8 NORTH CAROLINA SCHOOL OF THE ARTS.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 14-410 is amended by adding a new subsection to read:

11 "(a4) It is permissible for pyrotechnics to be purchased, possessed, received, used,  
12 handled, exhibited, or discharged for theatrical performances, film productions, or other  
13 presentations that are theatrical in nature produced, presented, or sponsored by the University  
14 of North Carolina School of the Arts on any property owned or rented by the University of  
15 North Carolina School of the Arts. The provisions of subsection (a1) of this section do not  
16 apply in the circumstances set out in this subsection."

17 **SECTION 2.** G.S. 14-413 is amended by adding a new subsection to read:

18 "(c) This section shall not apply to theatrical performances, film productions, or other  
19 presentations that are theatrical in nature produced, presented, or sponsored by the University  
20 of North Carolina School of the Arts on any property owned or rented by the University of  
21 North Carolina School of the Arts."

22 **SECTION 3.** G.S. 58-82A-2 reads as rewritten:

23 **"§ 58-82A-2. Individual training requirements.**

24 (a) An individual may not use, handle, exhibit, or discharge pyrotechnics in connection  
25 with a concert or public exhibition, as allowed under Article 54 of Chapter 14 of the General  
26 Statutes, unless the individual successfully completes the training approved or offered by the  
27 Commissioner of Insurance through the Office of State Fire Marshal or meets all of the  
28 following conditions:

- 29 (1) Is an active member in good standing with a local fire or rescue department  
30 and has experience in pyrotechnics or explosives, as verified by the State  
31 Fire Marshal.  
32 (2) Possesses the professional qualifications required by the State Fire Marshal  
33 or the professional qualifications required by the jurisdiction where  
34 permitting is being sought, whichever is greater. The professional  
35 qualifications set by the State Fire Marshal may not be less than the  
36 voluntary minimum professional qualifications for all levels of fire service



1                                   and rescue service personnel established by the State Fire and Rescue  
2                                   Commission under G.S. 58-78-5.

3           (b)   This section does not apply to an individual who is using, handling, exhibiting, or  
4 discharging pyrotechnics in connection with theatrical performances, film productions, or other  
5 presentations that are theatrical in nature produced, presented, or sponsored by the University  
6 of North Carolina School of the Arts on any property owned or rented by the University of  
7 North Carolina School of the Arts."

8                                   **SECTION 4.** This act is effective when it becomes law.