

**PUBLIC CHAPTER NO. 1130**

**SENATE BILL NO. 3120**

**By Burchett, Ford**

**Substituted for: House Bill No. 2776**

**By Baird, Roach, Jim Cobb**

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 104, Part 2, relative to fireworks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-104-202(18), is amended by changing the period at the end of the subdivision to a semi-colon and adding the following language:

with regard to a municipality, county, or metropolitan government which sponsors a display, "sponsor" means a governmental entity in compliance with the provisions of § 68-104-203(b).

SECTION 2. Tennessee Code Annotated, Section 68-104-203, is amended by deleting the section in its entirety and by substituting instead the following language:

68-104-203.

(a) An individual or entity, other than a municipality, county, or metropolitan government, must be a licensed exhibitor to perform an outdoor fireworks display, an indoor or outdoor proximate pyrotechnic display, or an indoor or outdoor display using flame effects. An individual or entity must be a licensed exhibitor to supply display fireworks, indoor or outdoor proximate pyrotechnics, or flame effect materials for display purposes.

(b) A municipality, county, or metropolitan government conducting an indoor or outdoor proximate pyrotechnic display, or an indoor or outdoor display using flame effects, however, must apply for and obtain the permit required pursuant to § 68-104-212, and:

(1) Have a certified operator on site at the event supervising or discharging the display;

(2) Show proof of insurance in accordance with the limits of liability established in the Tennessee Governmental Tort Liability Act, codified as Title 29, Chapter 20, or proof of adequate self-insurance; and

(3) Have the pyrotechnic materials supplied or purchased from a licensed exhibitor.

SECTION 3. Tennessee Code Annotated, Section 68-104-210(a)(1), is amended by deleting the language "Anyone other than a certified operator to perform" and by substituting instead "Except with regard to a municipality, county, or metropolitan government which conducts a display, so long as the governmental entity is in compliance with the provisions of § 68-104-203(b), anyone other than a certified operator to perform".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 20, 2008**

  
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RON RAMSEY  
SPEAKER OF THE SENATE

  
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JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 13th day of June 2008**

  
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PHIL BREDESEN, GOVERNOR