
SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION
Senator Stephen Padilla
Chair
2025 - 2026 Regular

Bill No:	SB 828	Hearing Date:	1/13/2026
Author:	Cabaldon, et al.		
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Urgency:	No	Fiscal:	Yes
Consultant:	Brian Duke		

SUBJECT: Fireworks licenses and permits: criminal convictions: local jurisdictions

DIGEST: This bill requires enhanced disclosure and notification of fireworks storage locations, verification of local permits and land use approvals, routine local inspections, and expands related enforcement authority for the State Fire Marshal (SFM) and local agencies. Additionally, this bill authorizes cost-recovery fees for local enforcement, increases penalties for noncompliance, and expands the grounds for denying or revoking fireworks licenses based on public safety and criminal history, as specified.

ANALYSIS:

Existing law:

- 1) Establishes the SFM, within the Department of Forestry and Fire Protection (CalFIRE), as specified.
- 2) The State Fireworks Law requires the SFM to adopt regulations relating to fireworks as may be necessary for the protection of life and property, and requires these regulations to include, among other things, provisions for the granting of licenses and permits for the manufacture, wholesale, import, export, and sale of all classes of fireworks.
- 3) Authorizes the retail “sale of safe” and sane fireworks in California from June 28 to July 6, annually, pursuant to a license issued by the SFM, as specified.

- 4) Authorizes the SFM to deny or revoke a fireworks license for specified reasons; and provides that a violation of the State Fireworks Law or the regulations pursuant thereto is a misdemeanor.
- 5) Requires fireworks licensees seeking authorization for specified activities related to fireworks to submit a written application for a permit to the chief of the fire department or the chief fire prevention officer of the city or county, or to another issuing authority that may be designated by the governing body of the city or county, or, in the event there is no officer or person appointed within the area, to the SFM or the SFM's deputy, as provided.
- 6) Requires all import and export licenses to file a notice with the SFM prior to the arrival of any class of fireworks subject to the specified license, and requires the notice to state all the following:
 - a) Estimated date of arrival.
 - b) Type, kind, and quantity of fireworks.
 - c) Name of carrier.
 - d) Point of origin and bill of lading number.
 - e) Name and address of consignee.
 - f) Load number or other identification carton marks.
- 7) Authorizes the SFM to deny the application for a license or the application for renewal of a license filed by a person who has been convicted of a felony involving explosives or dangerous fireworks or who has been convicted as a principal or accessory in a crime against property involving arson or any other fire-related offenses, as provided.
- 8) Provides that if dangerous fireworks are seized pursuant to a local ordinance that provides for the administration of fines or penalties and these fines or penalties are collected, the local government entity collecting the fines or penalties shall forward 65 percent of the collected moneys to the State Controller (Controller) for deposit in the SFM's Fireworks Enforcement and Disposal Fund (Fireworks Fund).
- 9) Requires a fireworks licensee or permittee to allow the chief of the issuing authority, or the chief's authorized representatives, to enter and inspect any building or other premises subject to the control of or used by the licensee or permittee for any purpose related to fireworks at any time for the purpose of enforcing the State Fireworks Law.

This bill:

- 1) Requires a licensee to provide the SFM the following, if applicable:
 - a) Documentation affirming the possession of a permit applicable to fireworks activity required by the public agency having local jurisdiction, as specified.
 - b) Documentation affirming possession of necessary local land use permits or other entitlements required by the public agency having local jurisdiction, as specified.
 - c) Information about the storage sites for the fireworks.
- 2) Authorizes the SFM to allow the applicable public agency an opportunity to validate the permit or entitlement assertions of the licensee described above and requires the SFM to furnish to the public agency a copy of any license issued to the licensee, as specified.
- 3) Authorizes the SFM to deny or revoke any license issued pursuant to the State Fireworks Law if the SFM finds that the licensee or license applicant has failed to provide to the SFM the documentation or information described above, excluding documentation related to permits that may only be acquired by those who already possess a license.
- 4) Requires applicants for a wholesaler's license, a manufacturer's license, an importer's license, or an exporter's license to disclose the complete street address of any intended storage facilities for any fireworks or materials to build fireworks on their initial application.
- 5) Requires those same licensees to notify the SFM, the applicable city manager – or, if there is no city manager – chief administrative officer, county administrator, sheriff, and police chief of the complete street addresses of any intended storage facilities for any fireworks or materials to build fireworks.
- 6) Provides, in addition to any penalties imposed by existing law, a person who violates the above requirement shall be fined no less than \$10,000 and authorizes the SFM to revoke their license.
- 7) Requires the SFM, upon approval of an application for a wholesaler's license, a manufacturer's license, an importer's license, or an exporter's license, to notify the following parties of any storage site reported on the application:

- a) The applicable county administrator and city manager or, if there is no city manager, chief administrative officer.
- b) The applicable local fire chief.
- c) The applicable hazardous materials office.
- d) The applicable sheriff and police chief.

8) Authorizes the SFM to deny the application for a license or renewal filed by a person who meets any of the following conditions:

- a) The person is under indictment for, or has been convicted in any court of, a crime that meets both of the following conditions:
 - i) The crime is punishable by imprisonment for a term exceeding one year.
 - ii) The crime is a violent offense or an offense the commission of which creates a threat to public safety.
- b) The person is prohibited from handling explosives under federal law.
- c) The person was subject to either a previous federal seizure action related to fireworks or a previous denial or revocation of federal fireworks license.

9) Requires an import or export licensee to additionally provide the notice documenting – among other things the estimated date of arrival of fireworks – to the local jurisdiction listed as the destination of the fireworks.

10) Requires an import or export licensee to additionally state, in the report described above, the street address and county of the facilities in which the fireworks will be stored, and copies of applications related to applicable zoning and land use approvals.

11) Authorizes a public agency having local jurisdiction pursuant to this bill, including a city, county, city and county, or fire protection district, to adopt by ordinance or resolution a schedule of fees to recover the reasonable costs incurred in administering, processing, inspecting, and enforcing the conditions of permits required, as specified, for fireworks activities or storage within its jurisdiction.

12) Provides that the fees authorized by this bill may include, but are not limited to, costs associated with any of the following:

- a) Reviewing applications and documents submitted, as specified.
- b) Conducting initial and annual inspections of facilities or storage sites where fireworks are manufactured, stored, sold, or otherwise handled.

- c) Verifying compliance with local land use, zoning, and fire safety regulations.
- d) Responding to complaints or violations related to fireworks operations.

13) Specifies that all fees collected under this bill shall be deposited in a special fund of the public agency having local jurisdiction and be used exclusively for activities specified in the State Fireworks Law.

14) Authorizes the chief of the fire department, fire marshal, or chief fire prevention officer of the city, county, city and county, or fire protection district or other public agency having jurisdiction pursuant to this bill, or their authorized representative, to enter and inspect, at reasonable times, any premise, facility, or storage site used for the manufacture, storage, sale, or display of fireworks to determine compliance with the State Fireworks Law, the regulations of the SFM, and applicable local fire codes.

15) Requires a public agency having local jurisdiction, including a city, county, city and county, or fire protection district to, at least once every 12 months, inspect each fireworks facility or storage site within its jurisdiction.

16) The above-described inspection shall include verification of the following:

- a) Permit validity and required documentation, as specified.
- b) Compliance with the fireworks storage, separation, and safety requirements of Title 19 of the California Code of Regulations, as specified.
- c) Maintenance of required fire protection systems and safety signage.

17) Authorizes a public agency having local jurisdiction, as specified, to require the correction of any unsafe or noncompliant condition identified during inspection and that agency may suspend or revoke the local permit until compliance is achieved.

18) Repeals the requirement that if dangerous fireworks are seized pursuant to a local ordinance that provides for administration fines or penalties and these fines or penalties are collected, the local government entity collecting the fines or penalties shall forward 65 percent of the collected moneys to the Controller for deposit in the Fireworks Fund.

19) Provides that no reimbursement is required by this bill pursuant to the California Constitution, as specified, because the only costs that may be

incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, as specified.

Background

Author Statement. According to the author's office, "the July 2025 explosion in Esparto, California was a terrible tragedy in the Senate District that I represent. The lives of 7 people were taken that day, and their families are still reeling from their losses. There are so many questions about what went wrong here, and I have a responsibility to the district to make sure that we do what we can to prevent such dangerous conditions to develop – apparently with state and local officials unaware. Esparto was certainly not an isolated incident, though it was the most deadly in recent memory. Shown by the May 2023 seizure in Commerce of more than 100,000 lbs. of fireworks, illegal fireworks are entering, being stored, and being detonated in California at a level we've never seen before. And reveals how dangerous it can be when responsibilities are fragmented, communication is inconsistent, or enforcement systems operate in silos."

Further, "by requiring upfront disclosure of storage locations and proof of local permits, SB 828 ensures alignment between state and local regulatory frameworks. This improves fire safety, enables better emergency response planning, and prevents unauthorized storage facilities. SB 828 also authorizes local agencies to adopt fee schedules to recover costs associated with permitting, inspection, and enforcement activities."

2025 Esparto California Fireworks Explosion. On July 1, 2025, a fire broke out at a fireworks warehouse in Esparto, California, located approximately 35 miles west of Sacramento in Yolo County. The fire caused several explosions in and around the warehouse culminating in a large blast, killing seven individuals and injuring two. Two to three residential buildings were destroyed, and several others were damaged. The fire, named the Oakdale Fire, spread to 78 acres and was fully contained by July 6. On July 15, CalFIRE's Office of the SFM announced taking action to suspend the pyrotechnic licenses of individuals from Devastating Pyrotechnics Inc., and Blackstar Fireworks who were identified in conjunction with the Esparto facility.

According to a [July 25, 2025, article in the Sacramento Bee](#), a growing body of public records and interviews following the explosion "shows how the company and its associates repeatedly presented themselves as fireworks manufacturers despite lacking proper state licenses. And they did so from a property without proper zoning or permits, where tens of thousands of explosives were stored – and

where local officials had apparent ties.” The article notes that, in addition to “marketing materials, presentations to public officials and license records, The Bee found that Devastating Pyrotechnics Inc. imported large quantities of chemicals commonly mixed to produce ‘flash powder’ used in fireworks. Experts said those shipments were unusual for a display and wholesale company lacking a federal permit to process and manufacturer pyrotechnics.”



[Fields surrounding the Esparto fireworks facility littered with debris Wednesday morning, July 2, 2025.](#)

[Photo by NATHANIEL LEVINE *Sacramento Bee*](#)

The 2025 July Esparto explosion followed a raid on a Southern California warehouse in May of that year, which according to a [November 17, 2025, article in the Sacramento Bee](#), “belonged to the company whose facility in Esparto exploded a little more than a month later, killing seven people.” The article states that, “Cal Fire’s Office of the State Fire Marshal and the federal Bureau of Alcohol, Tobacco, Firearms and Explosives agents seized more than 100,000 pounds of illegal fireworks on May 21 at a warehouse in the Los Angeles suburb of Commerce. Some of these fireworks belonged to Kenneth Chee, owner of Devastating Pyrotechnics, the company at the center of multiple investigations into the deadly July 1 blast.”

The article states that, “[p]hotos provided by Cal Fire of the Commerce raid show boxes similar to those housed in storage containers on the Esparto site as shown in photographs posted online by one of the men killed in the blast. In images from both locations, the boxes show a bright orange shield indicating explosives, a label

federally required for the transportation of hazardous material with fire and explosive danger.”

This bill requires applicants for a wholesaler’s license, a manufacturer’s license, an importer’s license, or an exporter’s license to disclose the complete street addresses of any intended storage facilities on their initial application and requires holders of those licenses to notify the SFM and specified local entities of the complete street addresses of intended storage facilities for any fireworks or materials to build fireworks. This bill requires the SFM, upon approval of an application for certain fireworks licenses, to notify specified local entities of any storage site reported on the application.

In December of 2025, the Del Norte County Sheriff’s Office announced that deputies and the Yolo County District Attorney’s Criminal Investigation Bureau served a search warrant in Crescent City stemming from the ongoing investigation into the Esparto explosion. According to authorities, more than 100 pounds of illegal fireworks were uncovered, and one individual was arrested and booked on multiple related charges.

This bill authorizes the SFM to deny an application for a license or renewal filed by any person who, among other things, has been indicted for, or has been convicted of, any crime that is punishable by imprisonment for a term exceeding one year or any crime that is a violent offense or an offense the commission of which creates a threat to public safety. Additionally, this bill authorizes the SFM to deny a license or renewal if the individual is prohibited from handling explosives under federal law or has been subject to either a previous federal seizure action related to fireworks or a previous denial or revocation of federal fireworks licenses.

California’s Fireworks Program. California’s Fireworks Law – established by AB 475 (Redwine, Chapter 534, Statutes of 1939) – tasks the SFM as the only fireworks classification authority in California. Fireworks are classified through laboratory analysis, field examinations, and test firing of items. As part of the program, the SFM requires the licensing of all pyrotechnic operators, fireworks manufacturers, importer-exporters, wholesalers, retailers, and public display companies. Pyrotechnic operators who discharge fireworks at public displays or launch high powered and experimental rockets, must also pass a written examination and provide proof of experience.

The retail sale of “safe and sane” fireworks is legal in California between noon on June 28 and noon on July 6 of every calendar year – but may be prohibited locally

through ordinances. For example, the City of Los Angeles prohibits all fireworks. Public fireworks shows can be conducted by state-licensed pyrotechnicians with licenses obtained from the SFM. Approximately 290 communities in California currently allow the purchase and personal use of state-approved fireworks for the July Fourth holiday. Typically, non-profit organizations such as service clubs (like Rotary), Boy and Girl Scout troops, PTAs, Little Leagues, and other neighborhood associations operate fireworks stands.

This bill requires fireworks licensees to provide to the SFM documentation affirming the possession of a permit applicable to fireworks activity and any necessary local land use permits or other entitlements, as required by the public agency having local jurisdiction, and information about the storage sites. This bill also authorizes the SFM to revoke the fireworks license of a licensee who fails to provide this documentation or information and to deny a license to an applicant who fails to provide this documentation or information.

General Fireworks Committee. The General Fireworks Committee (GFAC), within the Office of the SFM, provides a means of communications between the SFM, representatives of industry, the public, and the fire service; and to seek comments and specific views on proposed regulations and technical issues.

According to a [September 15, 2015, article by KCRA 3](#), during GFAC's first meeting following the Esparto explosion, State Fire Marshal Daniel Berlant said, "what happened in Esparto, while still under investigation, has already taught us that there were loopholes that were being used." State Fire Marshal Berlant further noted that the SFM's office is actively working on improving fireworks licensing standards and best practices. The article states that the "process was already underway, he said, before the explosion, but has been intensified given the gravity of what happened in Esparto."

Seized Fireworks in California. Fireworks not designated "safe and sane" are considered illegal in the State of California. As a result, there are fireworks seized that are illegal within the state, but legal to be sold in other states per federal and other state regulations. Existing law requires the SFM to dispose of "dangerous fireworks" within 60 days upon receiving notification from the local jurisdictions that seize them. If these fireworks are deemed hazardous waste they must be handled according to state and federal hazardous waste laws and can only be transported, treated, stored, or disposed of by registered and authorized facilities.

The State's Explosives Law authorizes the SFM to adopt regulations for the safe use, handling, storage, and transportation of explosives. Under those regulations

local law enforcement agencies track the location of storage magazines within their jurisdictions through a permit process. Special exemptions have been provided within the regulations to allow for limited possession and storage of some explosives, such as black powder as used by hunters and the sporting community.

Existing law states that if dangerous fireworks are seized pursuant to a local ordinance providing for administrative fines or penalties and these fines or penalties are collected, the local government entity must forward 65 percent of the collected moneys to the State Controller (Controller) for deposit in the SFM's Fireworks Fund. This bill repeals that requirement.

According to the SFM, seizures of these fireworks have increased each year beginning around March with an uptick in interdictions moving towards the July Fourth holiday. Each year, the state seizes on average over 240,000 pounds of fireworks that will need to be disposed. In 2020, a statewide operation conducted between June 26 and 30 designed to prevent illegal fireworks from entering California resulted in the confiscation of nearly 50,000 pounds of illegal fireworks, and resulted in 29 felonies, 165 misdemeanors, and 25 infractions. On June 30, 2025, the day before the Esparto explosion, [Governor Newsom announced via press release](#) that over 600,000 pounds of illegal fireworks had already been seized during the first half of 2025. Over the years, the focus has been on properly disposing of the stockpiles leaving few resources, if any, for enforcement.

This bill authorizes local fire and prevention officials to enter and inspect fireworks-related facilities and storage sites, at reasonable times, for compliance with state and local fire safety laws and requires each such facility or storage site to be inspected at least once every 12 months. This bill authorizes a public agency to adopt by ordinance or resolution a schedule of fees to recover the reasonable costs incurred in administering, processing, inspecting, and enforcing the conditions of permits for fireworks activities or storage within its jurisdiction.

Prior/Related Legislation

AB 3065 (Garcia, 2024) would have authorized the sale of safe and sane fireworks the week preceding New Year's Day, as specified. (Held on the Assembly Appropriations Committee Suspense File)

AB 1403 (Garcia, Chapter 368, Statutes of 2023) required the SFM, by January 1, 2025, to collect and analyze data about firework-related fires, damages, and arrests; submit a workload analysis to the relevant committees of the Legislature and train local authorities on relevant regulations related to fireworks, as specified.

Additionally, authorizes local agencies, as specified, to adopt an ordinance for the actual and reasonable costs associated with safe and sane and illegal fireworks; and requires the SFM to develop training for the proper management of seized fireworks.

SB 277 (Archuleta, Chapter 238, Statutes of 2022) requires the SFM to manage seized fireworks classified as hazardous waste in compliance with California and federal laws, rather than dispose of them, and ensures that transportation and disposal of this hazardous waste is handled only by registered and authorized facilities.

AB 1497 (Frazier, 2021) would have increased fines for breaking the State Fireworks Law, owning a certain amount of dangerous fireworks, and penalties for a third or more conviction, as specified. (Never heard in the Assembly Governmental Organization Committee)

AB 1588 (Committee on Governmental Organization, 2021) would have created the State Fire Marshal Statewide Illegal Fireworks Enforcement Action Fund dedicated to improving the enforcement of statewide programs concerning illegal and dangerous fireworks, as specified. (Never heard in the Senate Governance and Finance Committee)

AB 2740 (Carrillo, 2020) would have broadened the definition of dangerous fireworks to include those containing certain hazardous substances, required the SFM to track all dangerous fireworks imported into or exported out of California, and called for an annual charge on importers based on the volume of product imported, as specified. (Never referred to a policy committee in the Assembly)

SB 794 (Stern, 2017) would have established the Fireworks Stewardship Program to create a uniform statewide policy regarding a state, county, special district, and local government entity's safe seizure, storage, repurposing, destruction, or disposal of 1.4G federally approved dangerous fireworks and 1.4G California, classified safe and sane fireworks, as specified. (Never heard in the Assembly Governmental Organization Committee)

SB 677 (Mendoza, 2015) would have authorized the sale of safe and sane fireworks during the week preceding New Year's Day and would have made numerous changes to the State Fireworks Law and fireworks disposal, as specified. (Failed passage in the Senate Governmental Organization Committee)

AB 475 (Redwine, Chapter 534, Statutes of 1939) California's Fireworks Law, among other things, defined "dangerous fireworks" and "safe and sane" fireworks, and prohibited any person without a permit from manufacturing, possessing, or selling any dangerous fireworks, from selling any safe and sane fireworks as a retailer, and from discharging dangerous fireworks in any place.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT:

None received

OPPOSITION:

None received

DUAL REFERRAL: Senate Governmental Organization Committee and Senate Local Government Committee