

SENATE THIRD READING
SB 828 (Cabaldon)
As Amended August 13, 2026
Majority vote

SUMMARY

This bill expands oversight of a fireworks licensee by the State Fire Marshal (SFM) and local government entities.

Major Provisions

- 1) Requires the SFM to adopt regulations for license requirements specific to importing fireworks that are not intended for sale in California.
- 2) Expands the definition of "dangerous fireworks" to include any type of firework not examined and tested by the SFM, revises the definition of a "fireworks kit," and repeals the exemption of paper caps containing less than 0.25 grain of pyrotechnic composition per unit load from the State Fireworks Law.
- 3) Requires certain fireworks license applicants and holders to disclose the complete street address of all fireworks storage facilities to the SFM and applicable local official, and to advise the SFM of new, relocated or nonoperational facilities; requires a licensee in violation to be fined at least \$10,000 and authorizes the SFM to revoke their license; requires the SFM to notify applicable local officials of a storage site reported on an approved licensee's application.
- 4) Requires a licensee to provide the SFM with documentation that shows they possess applicable local permits or entitlements, information about the storage sites for the fireworks, and a Federal Explosives License; authorizes the SFM to revoke or deny a license for failure to provide this documentation; requires the SFM to allow the applicable public agency to validate a permit or entitlement; and requires the SFM to provide a copy of any applicable license to the public agency.
- 5) Requires a public agency to inspect each fireworks facility or storage site within its jurisdiction at least once every 12 months; Authorizes fire officials, as specified, to enter and inspect any site used for the manufacture, storage, sale, or display of fireworks to determine compliance; authorizes a local public agency to require correction of any unsafe or noncompliant condition and suspend or revoke the local permit; and requires a public agency to notify the State Fire Marshal when a local permit is suspended or revoked.
- 6) Authorizes a public agency to adopt 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, as specified.
- 7) Repeals the requirement that a local governmental entity collecting fines or penalties for the seizure of dangerous fireworks pursuant to a local ordinance must forward 65% of the collected moneys to the Controller for deposit in the State Fire Marshal Fireworks Enforcement and Disposal Fund; and increases the maximum dollar amount a legislative body of a city or county is allowed to fine for violating a local ordinance relating to fireworks, as follows: (a) up to \$1,000 for a first violation, (b) up to \$2,000 for a second

violation of the same ordinance within five years, and (c) up to \$5,000 for each additional violation of the same ordinance within five years of the first violation.

- 8) Requires an import and export licensee to include the address of the facility where fireworks will be stored in an existing notice filed with the SFM; and requires the licensee to provide the notice to the applicable local jurisdiction.
- 9) Adds a local law enforcement agency to the list of fire protection agencies that may seize fireworks and charge the holder an amount sufficient to cover any transporting, storing, and handling costs.
- 10) Extends the amount of time since an applicant's last fireworks licensure denial or revocation, from one year to five years before the application date, that authorizes the SFM to deny an application or renewal without a hearing; extends, from 30 days to 90 days, the time period for which the SFM may suspend a license without a hearing pending investigation of an State Fireworks Law violation; and authorizes the SFM, in addition to fire-related convictions, to deny a license application or renewal from a person convicted of any felony, a person under indictment or information for a crime punishable by imprisonment for a term exceeding one year, subject to a previous federal or state seizure action related to fireworks or a previous denial or revocation of a federal or state fireworks license, or a person that is deemed prohibited or ineligible under federal law, as specified.

COMMENTS

State Fireworks Law: California's Fireworks Law, established by AB 475 (Redwine, 1939), establishes a comprehensive scheme for regulating the use, manufacture, wholesale, import, export, and sale of all classes of fireworks. 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 SFM is also authorized to adopt regulations for the safe use, handling, storage and transportation of explosives.

2025 Esparto California Fireworks Explosion: On July 1, 2025, a fire broke out at a fireworks warehouse in Esparto, California. The fire caused several explosions in and around the warehouse culminating in a large blast, killing seven individuals and injuring two. According to the Yolo County District Attorney, the warehouse was storing approximately one million pounds of illegal fireworks at the time of the explosion.¹ 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 due to their connection with the Esparto facility.

According to a July 25, 2025 article in the Sacramento Bee, individuals related to the site lacked the proper state licenses and local permits to operate.² Additional reports and announcements identified two separate illegal fireworks seizures related to the entities involved with the Esparto explosion; one seizure occurred prior to the explosion and resulted in the confiscation of over

¹ <https://www.kcra.com/article/6-people-indicted-esparto-explosions-court-thursday-arraignments/71039030>

² Was the Esparto fireworks facility a deadly powder keg hiding in plain sight?, <https://www.sacbee.com/news/local/article311329030.html>

100,000 pounds of illegal fireworks in Commerce, CA, while the second seizure occurred months after the explosion with over 100 pounds of illegal fireworks confiscated in Crescent City, CA.

In April 2026, eight people were charged with a total of 30 different criminal counts related to the Esparto explosion, including murder, conspiracy to commit a crime, possession of illegal assault weapons, illegal explosives possession, insurance fraud, child endangerment and animal cruelty.³ The number of counts in which each person was charged varies; the lowest amount of charges for a single person is 5 and the highest amount of charges for a single person is 26 counts. The criminal case is ongoing.

In July 2026, the families of victims filed a civil lawsuit against the OSFM, the Yolo County Sheriff's Department, the Esparto Fire Protection District, Devastating Pyrotechnics, Blackstar Fireworks, and other partners of the companies. This civil case is ongoing.

Public Safety Fireworks Enforcement Task Force: In response to the initial findings from the Esparto incident, the OSFM assembled and convened the Public Safety Fireworks Enforcement Task Force (Task Force). The purpose of the Task Force was to conduct a comprehensive review of current state laws and regulations related to fireworks, propose changes to enhance public safety, and develop a robust Fireworks Program enforcement plan. The Task Force consisted of local public safety professionals from police, sheriff, and fire agencies, representing various organizations and agencies throughout the State.

The Task Force developed recommendations in several categories⁴. This bill adopts the majority of the recommended changes to the State Fireworks Law. Their recommended changes to the State Fireworks Law include:

- 1) Clarifying the OSFM's jurisdiction over fireworks imported via state ports.
- 2) Aligning the health and safety codes' felony disqualification with the Department of Justice's firearms prohibited categories.⁵
- 3) Reviewing the chain of approvals for license issuance to ensure that applicants have both an ATF license and a local permit, when required.
- 4) Moving certain license scope from statute to regulation.
 - a) This is the only recommendation not reflected in the bill.
- 5) Removing the exception for paper caps.
- 6) Expanding the definition of a fireworks kit.

³ <https://www.cnn.com/2026/04/10/us/california-fireworks-warehouse-explosion-charges>

⁴ <https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/fire-engineering-and-investigations/2026/public-safety-fireworks-enforcement-task-force-with-appendix-a.pdf?rev=d3ce397c2b684c5d8b8eea00e041a6c1&hash=B20A786D949A1BD05DDCFD091D27587D>

⁵ <https://oag.ca.gov/system/files/media/Firearms-Prohibited-Categories.pdf>

- 7) Increasing the suspension timeframe from 30 days to 90 days.
- 8) Including additional law enforcement agencies in the inspection authority.
- 9) Increasing allowable fines for county ordinances relating to fireworks.

These are expanded upon in more detail in the original Committee Analysis.

Fireworks Seizure in California: Fireworks that are not designated "safe and sane" are illegal in 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 once seized. If seized 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.

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 2025.⁶ Over the years, the focus has been on properly disposing of the stockpiles leaving few resources, if any, for enforcement.

According to the Author

"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. 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."

⁶ Governor Newsom urges safety this Fourth of July after 600,000 pounds of illegal explosives seized, <https://www.gov.ca.gov/2025/06/30/governor-newsom-urges-safety-this-fourth-of-july-after-600000-pounds-of-illegal-explosives-seized/>

Arguments in Support

According to the California Fire Chiefs Association and the Fire Districts Association of California, "The tragic explosion in Esparto highlighted significant gaps in the oversight of fireworks storage facilities and demonstrated the need for stronger coordination between state and local agencies. SB 828 addresses these deficiencies by increasing transparency regarding storage locations, strengthening licensing standards, enhancing local inspection and enforcement authority, and improving communication between the Office of the State Fire Marshal and local jurisdictions. These changes will better equip local fire agencies to identify potential hazards before they become emergencies. The bill also provides local agencies with additional enforcement tools and the authority to recover reasonable costs associated with administering and enforcing fireworks permits, helping ensure communities have the resources necessary to carry out these important public safety responsibilities."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

- 1) The Department of Forestry and Fire Protection (CAL FIRE) anticipates no fiscal impact from this bill. Although this bill expands fireworks license requirements and the SFM's enforcement authority, the expansion is generally within the existing scope of work of the SFM. CAL FIRE notes the SFM already oversees licensure and enforcement under the [State Fireworks Law] SFL, and that this bill does not require the SFM to undertake additional enforcement measures. For these reasons, CAL FIRE contends that this bill would not create new costs, and the current SFL fee structure would continue to provide the necessary funding for licensing and enforcement at existing levels.

However, to the extent this bill increases public awareness about allowable fireworks activities and local enforcement efforts, this bill may create corresponding cost pressures, potentially in excess of \$150,000, for CAL FIRE to increase staffing to bolster state enforcement efforts (General Fund or SFM Fund).

- 2) Costs of an unknown, but potentially significant amount, by requiring a local agency to conduct annual inspections of each fireworks facility or storage site within the agency's jurisdiction. However, such costs are likely non-reimbursable by the state since this bill authorizes a local agency to adopt fees to recover the costs of such inspections.
- 3) SFM Fund revenue loss of an unknown amount, potentially in excess of \$150,000, by repealing the requirement that a local agency collecting fines or penalties resulting from the agency's seizure of dangerous fireworks forward 65% of the collected revenue to the State Controller for deposit in the SFM Fund. To the extent such revenue loss is significant, there may be a corresponding impact in the SFM's administrative and enforcement operations, potentially necessitating a GF backfill to support ongoing workload.

VOTES**SENATE FLOOR: 39-0-1**

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Gonzalez

ASM EMERGENCY MANAGEMENT: 6-0-1

YES: Ransom, Hadwick, Arambula, Bennett, Calderon, DeMaio

ABS, ABST OR NV: Bains

ASM LOCAL GOVERNMENT: 9-0-1

YES: Carrillo, Johnson, Pacheco, Ramos, Ransom, Blanca Rubio, Stefani, Ward, Wilson

ABS, ABST OR NV: Ta

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

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