

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 5417

By Delegates J. Cannon and Willis

[Introduced February 10, 2026; referred to the
Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
 2 designated §18-5-24a, relating to authorizing the use of professional fireworks displays on
 3 public school property; providing that such displays may only be conducted by a licensed
 4 professional pyrotechnician holding a valid certification from the State Fire Marshal's
 5 Office; requiring school board approval; establishing conditions for safety and compliance
 6 with applicable laws and regulations.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. COUNTY BOARD OF EDUCATION.

§18-5-24a. Authorization for professional fireworks displays on school property.

1 (a) Legislative Findings. – The Legislature finds that professional fireworks displays
 2 conducted under proper safety standards can be appropriate for certain community, educational,
 3 or celebratory events held on school grounds. The Legislature further finds that public safety
 4 requires that only trained and licensed professionals conduct such displays under the oversight of
 5 the West Virginia State Fire Marshal's Office.

6 (b) Authority Granted. – Notwithstanding any provision of this code to the contrary, the
 7 county board of education in each county may authorize the use of professional fireworks displays
 8 on school property: *Provided, That:*

9 (1) The display is operated exclusively by a professional pyrotechnician licensed through
 10 the West Virginia State Fire Marshal's Office; and

11 (2) A valid permit has been issued by the State Fire Marshal for the specific date, time, and
 12 location of the display, except for fireworks classified as 1.4g shall not require a permit from the
 13 State Fire Marshal; and

14 (3) All applicable state and federal safety regulations governing pyrotechnic displays are
 15 strictly observed.

16 (c) Approval Process. –

17 (1) A request for a fireworks display on school property must be submitted in writing to the

18 county superintendent of schools and approved by the county board of education.

19 (2) The county board may impose additional conditions as necessary to protect school
20 facilities, students, staff, and the public.

21 (d) Liability and Insurance. –

22 (1) Any organization or entity sponsoring a fireworks display on school property shall
23 provide proof of liability insurance in an amount not less than \$1 million, naming the county board
24 of education as an additional insured.

25 (2) The sponsoring entity shall assume responsibility for any damages or injuries resulting
26 from the fireworks display.

27 (e) Rulemaking. – The State Fire Marshal is authorized to propose rules for legislative
28 approval in accordance with §29A-3-1 et seq. of this code to implement this section, including
29 rules governing permit applications, safety requirements, and inspection procedures.

NOTE: The purpose of this bill is to authorize county boards of education to permit fireworks displays on school property when conducted by licensed professional pyrotechnicians under the regulation of the State Fire Marshal.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.