



Texas Department of Insurance

State Fire Marshal's Office, Mail Code 112-FM
333 Guadalupe • P. O. Box 149221, Austin, Texas 78714-9221
512-305-7900 • 512-305-7910 fax • www.tdi.texas.gov

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RECENTLY ASKED QUESTION

FWKS 002-2012 Use of Sky Lanterns

Question: Can I use sky lanterns at my wedding?

Opinion: While the sale of sky lanterns or similar products may be legal in Texas at this time, the State Fire Marshal's Office strongly recommends against the use of these devices. Individuals choosing to use sky lanterns or similar products are advised to consider the following:

1. Lighting and releasing these devices may be illegal in counties that have a burn ban in place. Doing so could constitute a Class C Misdemeanor offense.
2. Where the city or county has a fire code in place, lighting and releasing these devices may put you in violation of that code and subject to penalties for unattended burning. Prior to using these devices contact your local fire marshal or other authority having jurisdiction to find out if local statutes or codes prohibit the use of these devices.
3. In the event that the device causes a fire, you may be held liable for any resulting damages, and could be subject to indictment for a criminal offense. Depending on circumstances, lighting and releasing this device which then causes a fire may meet elements of arson or related crimes.

Mark Lockerman
Director of Investigations and Licensing
Texas State Fire Marshal's Office

Notice of Information

This information is an opinion of the Director of Investigations and Licensing. It is NOT the official position nor is it binding on the Texas Department of Insurance or the State Fire Marshal's Office. The above is an abbreviated narrative of the laws. The actual wording of the laws should be consulted prior to use, evaluation or interpretation. It should not be viewed as an approval or acknowledgment of compliance with all the applicable laws. It is the responsibility of the licensee or permittee to comply with all state and federal laws, rules and requirements. All referenced laws, codes, opinions and responses are subject to change without notification. The requestor should note that opinions may be sought directly from other sources such as the NFPA, fire & building code authorities, legal counsel and other professionals.