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| PREVAILED | Roll Call No. _____ |
| FAILED | Ayes _____ |
| WITHDRAWN | Noes _____ |
| RULED OUT OF ORDER | |

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1272 be amended to read as follows:

- 1 Page 7, between lines 6 and 7, begin a new paragraph and insert:
- 2 "SECTION 3. IC 22-11-14-2.5 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE UPON PASSAGE]:
- 5 **Sec. 2.5 (a) As used in this section, "park" includes:**
- 6 (1) all parks, reservoirs, land, and water under the
- 7 jurisdiction of the department of natural resources, as set
- 8 forth in IC 14-14-1-5(a); and
- 9 (2) all public parks, playgrounds, and recreation facilities
- 10 established and operated by a city, town, or county, as set
- 11 forth in IC 36-10-2-2.
- 12 (b) The fire prevention and building safety commission created
- 13 under IC 22-12-2 shall adopt rules for the granting of permits for
- 14 common fireworks (not including snakes or glow worms, smoke
- 15 devices, wire sparklers, novelties, and trick noisemakers) for
- 16 possession, transport, delivery, and use in a park.
- 17 (c) The fire prevention and building safety commission shall
- 18 establish by rule the fee for the permit.
- 19 (d) A fee collected for a permit under this section shall be paid
- 20 into the fire and building services fund created under IC 22-12-6-1.
- 21 (e) Applications for permits must be made in writing at least
- 22 fifteen (15) days before the date of the use of the fireworks.
- 23 (f) A permit granted under this section is not transferable.
- 24 (g) A person who possesses, transports, delivers, or uses

1 **common fireworks (not including snakes or glow worms, smoke**
2 **devices, wire sparklers, novelties, and trick noisemakers) in a park,**
3 **except as authorized in this section, commits a Class C**
4 **misdemeanor."**
5 Page 10, between lines 12 and 13, begin a new paragraph and insert:
6 "SECTION 9. [EFFECTIVE UPON PASSAGE] **(a)**
7 **Notwithstanding IC 22-11-14-2.5, as added by this act, the state fire**
8 **marshal shall carry out the duties imposed upon it under interim**
9 **written guidelines approved by the state fire marshal.**
10 **(b) This SECTION expires on the earlier of the following:**
11 **(1) The date rules are adopted under IC 22-11-14-2.5.**
12 **(2) December 31, 2002."**
13 Renumber all SECTIONS consecutively.
(Reference is to HB 1272 as printed February 14, 2001.)

Representative Crooks