

Adopted	Rejected
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## COMMITTEE REPORT

<b>YES:</b>	<b>12</b>
<b>NO:</b>	<b>0</b>

### MR. SPEAKER:

*Your Committee on Commerce, Economic Development and Technology, to which was referred House Bill 1272, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 8, line 11, after "5(d)," delete "or".
- 2 Page 8, line 11, after "7" insert ",".
- 3 Page 8, line 11, reset in roman "or 8".
- 4 Page 8, line 40, strike "sixteen (16)" and insert "**eighteen (18)**".
- 5 Page 8, after line 42, begin a new paragraph and insert:
- 6 "SECTION 6. IC 22-11-14-8 IS AMENDED TO READ AS
- 7 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. **(a)** A person
- 8 shall not **knowingly** sell at retail ~~or offer for sale at retail~~, **to a person**
- 9 **who is less than eighteen (18) years of age** any fireworks, novelties,
- 10 or trick noisemakers other than the following:
- 11 (1) ~~Dipped sticks or~~ Wire sparklers. ~~However,~~ Total pyrotechnic
- 12 composition may not exceed one hundred (100) grams per item.
- 13 ~~Devices containing chlorate or perchlorate salts may not exceed~~

- 1 five ~~(5)~~ grams in total composition per item.
- 2 ~~(2)~~ Cylindrical fountains.
- 3 ~~(3)~~ Cone fountains.
- 4 ~~(4)~~ Illuminating torches.
- 5 ~~(5)~~ Wheels.
- 6 ~~(6)~~ Ground spinners.
- 7 ~~(7)~~ Flitter sparklers.
- 8 ~~(8)~~ **(2)** Snakes or glow worms.
- 9 ~~(9)~~ **(3)** Smoke devices.
- 10 ~~(10)~~ **(4)** Trick noisemakers, which include:
- 11 (A) Party poppers.
- 12 (B) Booby traps.
- 13 (C) Snappers.
- 14 (D) Trick matches.
- 15 (E) Cigarette loads.
- 16 (F) Auto burglar alarms.
- 17 **(b) The following defenses are available to a person accused of**
- 18 **selling fireworks other than those set forth in subsection (a) to a**
- 19 **person who is less than eighteen (18) years of age:**
- 20 **(1) The buyer or recipient produced a driver's license bearing**
- 21 **the purchaser's or recipient's photograph, showing that the**
- 22 **purchaser or recipient was of legal age to make the purchase.**
- 23 **(2) The buyer or recipient produced a photographic**
- 24 **identification card issued under IC 9-24-16-1, or a similar**
- 25 **card issued under the laws of another state or the federal**
- 26 **government, showing that the purchaser or recipient was of**
- 27 **legal age to make the purchase.**
- 28 **(c) A person less than eighteen (18) years of age who:**
- 29 **(1) purchases fireworks other than those set forth in**
- 30 **subsection (a);**
- 31 **(2) accepts fireworks other than those set forth in subsection**
- 32 **(a);**
- 33 **(3) possesses fireworks other than those set forth in subsection**
- 34 **(a); or**
- 35 **(4) uses fireworks other than those set forth in subsection (a);**
- 36 **commits a Class C misdemeanor.**
- 37 **(d) It is a defense under subsection (c) that the accused person**
- 38 **accepted or possessed fireworks in the ordinary course of**

- 1       **employment in a business concerning fireworks.**
- 2       SECTION 7. IC 22-11-14-9 IS AMENDED TO READ AS
- 3       FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The state fire
- 4       marshal is charged with the responsibility of enforcing **sections 2, 3, 5,**
- 5       **and 7 of** this chapter."
- 6       Page 9, line 1, delete "THE FOLLOWING ARE" and insert "IC
- 7       22-11-14-10 IS".
- 8       Page 9, line 2, delete "PASSAGE]: IC 22-11-14-8; IC 22-11-14-10."
- 9       and insert "PASSAGE].".
- 10      Renumber all SECTIONS consecutively.  
          (Reference is to HB 1272 as introduced.)

**and when so amended that said bill do pass.**

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Representative Fry