

SENATE BILL No. 1143

March 14, 2006, Introduced by Senators HARDIMAN, GARCIA, STAMAS, TOY, VAN WOERKOM, BIRKHOLZ, BISHOP, KUIPERS, GOSCHKA, JELINEK, CROPSEY and SCHAUER and referred to the Committee on Economic Development, Small Business and Regulatory Reform.

A bill to amend 1931 PA 328, entitled
 "The Michigan penal code,"
 by amending section 243b (MCL 750.243b).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 243b. (1) The ~~council or commission~~ **LEGISLATIVE BODY** of
 2 a city, ~~or~~ village, or ~~the township board of a~~ township, upon
 3 application in writing, on forms provided by the ~~director of the~~
 4 ~~department of state police~~ **BUREAU OF FIRE SERVICES CREATED IN**
 5 **SECTION 1B OF THE FIRE PREVENTION CODE, 1941 PA 207, MCL 29.1B,** may
 6 grant a permit for the use of fireworks otherwise prohibited by
 7 section 243a, within ~~their political jurisdiction~~ **THE CITY,**
 8 **VILLAGE, OR TOWNSHIP,** manufactured for outdoor pest control or
 9 agricultural purposes, or for public display by municipalities,
 10 fair associations, amusement parks, or other organizations or

1 groups of individuals approved by the city, village, or township
 2 authority, if the applicable provisions of this act are complied
 3 with. The permits shall be on forms provided by the ~~director of~~
 4 ~~the department of state police~~ **BUREAU OF FIRE SERVICES**. After a
 5 permit has been granted, sales, possession, or transportation of
 6 fireworks for the purposes described in the permit only may be
 7 made. A permit granted under this subsection ~~shall~~ **IS** not ~~be~~
 8 transferable ~~, nor shall a permit~~ **AND SHALL NOT** be issued to a
 9 person under the age of 18 years.

10 (2) The ~~council or commission~~ **LEGISLATIVE BODY** of a city,
 11 ~~or village, or the township board of a~~ township, upon
 12 application in writing, may grant a permit, on forms provided by
 13 the ~~director of the department of state police~~ **BUREAU OF FIRE**
 14 **SERVICES**, to a resident wholesale dealer or jobber to have in his
 15 possession within the ~~political jurisdiction~~ **CITY, VILLAGE, OR**
 16 **TOWNSHIP**, fireworks otherwise prohibited by section 243a, for sale
 17 only to holders of permits as provided in this section. A permit
 18 granted under this subsection is not transferable, nor shall a
 19 permit be issued to a person under the age of 18 years.

20 (3) Before a permit for a pyrotechnic display is issued, the
 21 person, firm, or corporation ~~making application therefor~~ **APPLYING**
 22 **FOR THE PERMIT** shall furnish proof of financial responsibility by a
 23 bond or insurance in an amount, **CHARACTER, AND FORM** deemed
 24 necessary by the local governing authority to satisfy claims for
 25 damages to property or personal injuries arising out of an act or
 26 omission on the part of the person, firm, or corporation, or an
 27 agent or employee thereof, ~~in the amount, character, and form the~~

1 ~~local authority determines necessary for the protection of~~ **AND TO**
2 **PROTECT** the public.

3 (4) A permit shall not be issued under this act to a
4 nonresident person, firm, or corporation for conduct of a
5 pyrotechnic display in this state until the person, firm, or
6 corporation has appointed in writing a resident member of the bar
7 of this state or a resident agent to be ~~his~~ **THE** legal
8 representative upon whom all process in an action or proceeding
9 against ~~him~~ **THE PERSON, FIRM, OR CORPORATION** may be served.

10 (5) The local governing authority shall rule on the competency
11 and qualifications of operators of pyrotechnic displays, as the
12 operator has furnished in his application form, and on the time,
13 place, and safety aspects of the displays before granting permits.

14 Enacting section 1. This amendatory act does not take effect
15 unless Senate Bill No. 1133

16 of the 93rd Legislature is enacted into law.