

Act No. 209  
Public Acts of 2006  
Approved by the Governor  
June 16, 2006  
Filed with the Secretary of State  
June 19, 2006  
EFFECTIVE DATE: June 19, 2006

**STATE OF MICHIGAN  
93RD LEGISLATURE  
REGULAR SESSION OF 2006**

**Introduced by Senators Hardiman, Garcia, Stamas, Toy, Van Woerkom, Birkholz, Bishop, Kuipers, Goschka,  
Jelinek, Cropsey and Schauer**

# **ENROLLED SENATE BILL No. 1143**

AN ACT to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 243b (MCL 750.243b).

*The People of the State of Michigan enact:*

Sec. 243b. (1) The legislative body of a city, village, or township, upon application in writing, on forms provided by the bureau of fire services created in section 1b of the fire prevention code, 1941 PA 207, MCL 29.1b, may grant a permit for the use of fireworks otherwise prohibited by section 243a, within the city, village, or township, manufactured for outdoor pest control or agricultural purposes, or for public display by municipalities, fair associations, amusement parks, or other organizations or groups of individuals approved by the city, village, or township authority, if the applicable provisions of this act are complied with. The permits shall be on forms provided by the bureau of fire services. After a permit has been granted, sales, possession, or transportation of fireworks for the purposes described in the permit only may be made. A permit granted under this subsection is not transferable and shall not be issued to a person under the age of 18 years.

(2) The legislative body of a city, village, or township, upon application in writing, may grant a permit, on forms provided by the bureau of fire services, to a resident wholesale dealer or jobber to have in his possession within the city, village, or township, fireworks otherwise prohibited by section 243a, for sale only to holders of permits as provided in this section. A permit granted under this subsection is not transferable, nor shall a permit be issued to a person under the age of 18 years.

(3) Before a permit for a pyrotechnic display is issued, the person, firm, or corporation applying for the permit shall furnish proof of financial responsibility by a bond or insurance in an amount, character, and form deemed necessary by the local governing authority to satisfy claims for damages to property or personal injuries arising out of an act or omission on the part of the person, firm, or corporation, or an agent or employee thereof, and to protect the public.

(4) A permit shall not be issued under this act to a nonresident person, firm, or corporation for conduct of a pyrotechnic display in this state until the person, firm, or corporation has appointed in writing a resident member of the bar of this state or a resident agent to be the legal representative upon whom all process in an action or proceeding against the person, firm, or corporation may be served.

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

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) Senate Bill No. 1133.

(b) House Bill No. 5860.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Gay E. Randall*

Clerk of the House of Representatives

Approved .....

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Governor