

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 326 be amended to read as follows:

- 1 Page 6, line 7, delete "composition".
- 2 Page 6, line 18, delete "may" and insert "may:".
- 3 Page 6, line 18, delete "shall:".
- 4 Page 7, between lines 15 and 16, begin a new paragraph and insert:
- 5 **"(e) A denial of a permit by a municipality shall be issued in**
- 6 **writing before the date of the display."**
- 7 Page 7, line 16, delete "(e)" and insert "(f)".
- 8 Page 9, line 11, delete "knowing or".
- 9 Page 9, line 12, delete "D felony." and insert **"A misdemeanor.**
- 10 **Sec. 10. A person who causes serious bodily injury to a person**
- 11 **as a result of a knowing or an intentional violation of a rule**
- 12 **adopted under this chapter commits a Class D felony.**
- 13 **Sec. 11. A person who causes the death of a person as a result**
- 14 **of a reckless violation of a rule adopted under this chapter**
- 15 **commits a Class D felony."**
- 16 Page 9, line 13, delete "10." and insert **"12."**
- 17 Page 9, line 14, delete "reckless" and insert **"an intentional"**.
- 18 Page 9, between lines 15 and 16, begin a new paragraph and insert:
- 19 "SECTION 4. IC 35-47.5-4-4.5, AS ADDED BY HEA 1072-2004,
- 20 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21 JULY 1, 2004]: Sec. 4.5. (a) This section does not apply to a person
- 22 who is regulated under IC 14-34.
- 23 (b) The commission shall adopt rules under IC 4-22-2 to:

- 1 (1) govern the use of a regulated explosive; and
- 2 (2) establish requirements for the issuance of a license for the use
- 3 of a regulated explosive.
- 4 (c) The commission shall include the following requirements in the
- 5 rules adopted under subsection (b):
- 6 (1) Relicensure every three (3) years after the initial issuance of a
- 7 license.
- 8 (2) Continuing education as a condition of relicensure.
- 9 (3) An application for licensure or relicensure must be submitted
- 10 to the office on forms approved by the commission.
- 11 (4) A fee for licensure and relicensure.
- 12 (5) Reciprocal recognition of a license for the use of a regulated
- 13 explosive issued by another state if the licensure requirements of
- 14 the other state are substantially similar to the licensure
- 15 requirements established by the commission.
- 16 (d) A person may not use a regulated explosive unless the person has
- 17 a license issued under this section for the use of a regulated explosive.
- 18 (e) The office shall carry out the licensing and relicensing program
- 19 under the rules adopted by the commission.
- 20 (f) As used in this section, "regulated explosive" does not include
- 21 either of the following:
- 22 (1) ~~Consumer~~ Fireworks (as defined in ~~27 CFR 55.11~~). **27 CFR**
- 23 **555.11**).
- 24 (2) Commercially manufactured black powder in quantities not to
- 25 exceed fifty (50) pounds, if the black powder is intended to be
- 26 used solely for sporting, recreational, or cultural purposes in
- 27 antique firearms or antique devices."
- 28 Renumber all SECTIONS consecutively.
(Reference is to ESB 326 as printed February 20, 2004.)

Representative Pierce