

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 9 be amended to read as follows:

- 1           Page 6, delete lines 9 through 27, begin a new paragraph and
- 2           insert:
- 3           "SECTION 2. IC 22-11-14-10.5 IS ADDED TO THE INDIANA
- 4           CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5           [EFFECTIVE UPON PASSAGE]: **Sec. 10.5 (a) As used in this**
- 6           **section, the term "use" means the ability of a county or**
- 7           **municipality to regulate the days and hours when consumer**
- 8           **fireworks may be used, ignited or discharged.**
- 9           **(b) Notwithstanding any other provision of this chapter:**
- 10           **(1) a county may adopt an ordinance concerning the use**
- 11           **of fireworks in the unincorporated areas of the county;**
- 12           **and**
- 13           **(2) a municipality may adopt an ordinance concerning the**
- 14           **use of fireworks within the corporate limits of the**
- 15           **municipality.**
- 16           **(c) An ordinance adopted under this section:**
- 17           **(1) may limit the use of fireworks in the county or**
- 18           **municipality;**
- 19           **(2) may not be more lenient than a rule adopted by a state**
- 20           **agency concerning the use of fireworks; and**
- 21           **(3) may not limit the use of fireworks:**
- 22           **(A) between the hours of 5:00 p.m. and two hours after**
- 23           **sunset on June 29, June 30, July 1, July 2, July 3, July**
- 24           **5, July 6, July 7, July 8 and July 9;**
- 25           **(B) between the hours of 10:00 a.m. and 12:00 midnight**
- 26           **on July 4; and**
- 27           **(C) between the hours of 10:00 a.m. on December 31**

**and 1:00 a.m. on January 1."**

(Reference is to SB 9 as printed January 26, 2007.)

---

Senator WEATHERWAX