

AMENDMENTS TO HOUSE BILL NO. 2157

Sponsor: REPRESENTATIVE MOUL

Printer's No. 2504

1 Amend Bill, page 1, line 13, by striking out "Request for
2 extension" and inserting
3 (Reserved)

4 Amend Bill, page 2, lines 14 through 17, by striking out all
5 of said lines and inserting

6 "Animal housing facility." A roofed structure or facility,
7 or a portion of the facility, used for occupation by livestock
8 or poultry.

9 "APA 87-1A." The American Pyrotechnics Association Standard
10 87-1A: Standard for the Construction, Classification, Approval,
11 and Transportation of Consumer Fireworks, 2018 edition.

12 Amend Bill, page 2, line 27, by striking out "APA 87-1" and
13 inserting

14 APA 87-1A

15 Amend Bill, page 3, line 2, by striking out "APA 87-1" and
16 inserting

17 APA 87-1A

18 Amend Bill, page 4, line 8, by striking out "Bond" and
19 inserting

20 Insurance

21 Amend Bill, page 4, lines 9 and 10, by striking out "a bond
22 deemed adequate by it from the permittee in a sum not less than
23 \$1,000" and inserting

24 a permittee to carry insurance in an amount not less than
25 \$2,000,000

26 Amend Bill, page 4, by inserting between lines 13 and 14

1 (e) Permit extension.--A municipality may grant an extension
2 for a permit issued under this section to a new date for
3 displays canceled due to unfavorable weather or other
4 circumstances beyond the control of the permittee.

5 Amend Bill, page 4, lines 14 through 30; page 5, lines 1
6 through 8; by striking out "Request for extension." in line 14,
7 all of lines 15 through 30 on page 4 and all of lines 1 through
8 8 on page 5 and inserting

9 (Reserved).

10 Amend Bill, page 5, line 14, by striking out "public or"

11 Amend Bill, page 5, line 14, by inserting after "property"

12 or on public property, including, but not limited to,
13 streets, parking lots, sidewalks and parks,

14 Amend Bill, page 5, line 21, by striking out the period after
15 "vehicle" and inserting

16 , whether the building or vehicle is owned by the user of
17 the consumer fireworks.

18 Amend Bill, page 5, by inserting after line 30

19 (c) Conditional use.--A person may use consumer fireworks at
20 a distance of no less than 150 feet from an animal housing
21 facility or a fenced area designed to confine livestock owned or
22 managed by another person, when the person using consumer
23 fireworks has notified in writing the owner or manager of the
24 livestock at least 72 hours in advance of the use that consumer
25 fireworks will be used in the area.

26 Amend Bill, page 6, line 17, by inserting after "use"

27 and sale

28 Amend Bill, page 6, by inserting between lines 18 and 19

29 (1.1) Except for the limitations under subsection (b), a
30 municipality may require a permit for the use of consumer
31 fireworks. A fee for a permit shall be reasonable.

32 (1.2) A municipality may prohibit the use of consumer
33 fireworks if the use within the municipality cannot comply
34 with section 1104(b)(5) (relating to use of consumer
35 fireworks).

36 Amend Bill, page 6, line 19, by striking out

37 "Notwithstanding" and inserting

1 Facilities with

2 Amend Bill, page 6, lines 20 through 23, by striking out "on
3 the effective date of this section, a" in line 20 and all of
4 lines 21 through 23 and inserting

5 shall not be subject to municipal conditions,
6 prohibitions or limitations enacted under paragraph (1)
7 related to the sale of consumer fireworks.

8 Amend Bill, page 6, line 24, by striking out "No" and
9 inserting

10 Except for authority exercised under subsection (a)(1.2), no

11 Amend Bill, page 6, lines 26 and 27, by striking out

12 "(relating to use of consumer fireworks)"

13 Amend Bill, page 7, line 14, by striking out "250" and
14 inserting

15 300

16 Amend Bill, page 7, line 18, by striking out "1,500" and
17 inserting

18 2,500

19 Amend Bill, page 7, by inserting between lines 26 and 27

20 (9) The sale of consumer fireworks may be conducted
21 through online, mail-order or other transaction, but delivery
22 to a purchaser shall take place at a facility licensed under
23 section 1108 (relating to fees, granting of licenses and
24 inspections) and the sale shall be subject to the provisions
25 of section 1112 (relating to consumer fireworks tax).

26 Amend Bill, page 12, line 20, by striking out "less" and
27 inserting

28 more

29 Amend Bill, page 12, line 25, by striking out "less" and
30 inserting

31 more

32 Amend Bill, page 12, line 28, by striking out "second" and
33 inserting

1 first

2 Amend Bill, page 12, line 30, by striking out "\$5,000" and
3 inserting

4 \$10,000

5 Amend Bill, page 13, line 3, by striking out "misdemeanor of
6 the first" and inserting

7 felony of the third

8 Amend Bill, page 13, line 5, by striking out "\$10,000" and
9 inserting

10 \$15,000 and a revocation of a license issued under
11 section 1108 (relating to fees, granting of licenses and
12 inspections)

13 Amend Bill, page 13, line 6, by inserting after "selling"
14 or using

15 Amend Bill, page 14, line 10, by inserting after "sale,"
16 used,