

By: Representatives Turner, Arnold

To: Business and Commerce

HOUSE BILL NO. 942

1 AN ACT TO AMEND SECTION 45-13-9, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE PERIOD OF TIME THAT FIREWORKS MAY BE SOLD; TO AMEND
3 SECTION 45-13-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY
4 PERSON, FIRM, PARTNERSHIP OR CORPORATION THAT IS FOUND TO BE IN
5 VIOLATION OF ANY PROVISION OF THE LAW RELATED TO FIREWORKS SHALL
6 BE GUILTY OF A MISDEMEANOR, NOT A FELONY; AND FOR RELATED
7 PURPOSES.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

9 **SECTION 1.** Section 45-13-9, Mississippi Code of 1972, is
10 amended as follows:

11 45-13-9. No fireworks shall be sold or offered for sale at
12 retail before the fifteenth day of June and after the * * *
13 seventh day of July and before the fifth day of December and after
14 the * * * fifth day of January of each year. No fireworks shall
15 be sold to any person under the age of twelve (12) years. It
16 shall be unlawful to ignite or discharge fireworks of any type
17 within six hundred (600) feet of any church, hospital or school,
18 or within seventy-five (75) feet of where fireworks are stored or
19 offered for sale. It shall also be unlawful to ignite or



20 discharge the same within or throw the same from or into or at any
21 motor vehicle.

22 **SECTION 2.** Section 45-13-15, Mississippi Code of 1972, is
23 amended as follows:

24 45-13-15. Any person, firm, partnership or corporation
25 violating any provision of this article shall be guilty of a * * *
26 misdemeanor, and shall be punished by a fine not to exceed One
27 Thousand Dollars (\$1,000.00) and/or imprisonment in the county
28 jail or State Penitentiary not to exceed one (1) year. In
29 addition to said criminal penalties, any person, firm, partnership
30 or corporation violating any provision of this article shall be
31 responsible for any and all injuries, deaths and property damage
32 caused by or resulting from illegal fireworks sold by such person,
33 firm, partnership or corporation which is prohibited by this
34 article within the State of Mississippi, and any injured person or
35 his legal representatives, shall have a right to bring a civil
36 action against the dealer, distributor or manufacturer or person
37 who sold said fireworks, whether said dealer, distributor or
38 manufacturer or person be located in this state or not. Any
39 dealer, distributor or manufacturer or person located outside of
40 this state who shall sell fireworks in Mississippi shall make,
41 constitute and appoint the Secretary of State as their lawful
42 agent for service of process in any civil proceeding brought under
43 the provisions of this article, to recover all damages caused or



44 resulting from the sale of any fireworks prohibited by this
45 article.

46 **SECTION 3.** This act shall take effect and be in force from
47 and after July 1, 2024.

