

By: Representatives Bounds, Hale

To: State Affairs

HOUSE BILL NO. 1149

1 AN ACT TO AMEND SECTION 45-13-9, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE SALE OF FIREWORKS FOR AN ADDITIONAL WEEK IN JUNE AND
3 JANUARY; TO AMEND SECTION 45-13-15, MISSISSIPPI CODE OF 1972, TO
4 CLASSIFY THE CRIME OF SELLING FIREWORKS OUTSIDE THE AUTHORIZED
5 DATES AS A MISDEMEANOR; AND FOR RELATED PURPOSES.

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

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

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



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

22 45-13-15. (1) Any person, firm, partnership or corporation
23 violating Section 45-13-9 by selling fireworks on a date other
24 than the dates authorized for the retail sale of fireworks is
25 guilty of a misdemeanor and may be punished by a fine not to
26 exceed Five Hundred Dollars (\$500.00) or confinement in the county
27 jail not to exceed thirty (30) days, or both.

28 (2) Except as otherwise provided in subsection (1), any
29 person, firm, partnership or corporation violating any provision
30 of this article shall be guilty of a felony, and shall be punished
31 by a fine not to exceed One Thousand Dollars (\$1,000.00) and/or
32 imprisonment in the county jail or * * * custody of the
33 Mississippi Department of Corrections not to exceed one (1) year.

34 (3) In addition to * * * the criminal penalties under
35 subsections (1) and (2), any person, firm, partnership or
36 corporation violating any provision of this article shall be
37 responsible for any and all injuries, deaths and property damage
38 caused by or resulting from illegal fireworks sold by such person,
39 firm, partnership or corporation which is prohibited by this
40 article within the State of Mississippi, and any injured person or
41 his legal representatives, shall have a right to bring a civil
42 action against the dealer, distributor or manufacturer or person
43 who sold said fireworks, whether said dealer, distributor or
44 manufacturer or person be located in this state or not. Any



45 dealer, distributor or manufacturer or person located outside of
46 this state who shall sell fireworks in Mississippi shall make,
47 constitute and appoint the Secretary of State as their lawful
48 agent for service of process in any civil proceeding brought under
49 the provisions of this article, to recover all damages caused or
50 resulting from the sale of any fireworks prohibited by this
51 article.

52 **SECTION 3.** This act shall take effect and be in force from
53 and after July 1, 2025.

