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AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1149

BY: Representative Blackwell

1 **AMEND** by deleting lines 9 through 11 in their entirety and
2 line 12 through the period and inserting in lieu thereof the
3 following:

4 "45-13-9. No fireworks shall be sold or offered for sale at
5 retail except during the period from June 8 through July 12 and
6 the period from December 5 through January 9 of each year."

7 **AMEND FURTHER** on line 22 by inserting the letter "(a)" after
8 the number "(1)", and on line 32 by inserting the following after
9 the word "and": ", upon conviction of a first offense,"

10 **AMEND FURTHER** by inserting the following after line 27:

11 "(b) For a second offense of violating Section 45-13-9 by
12 selling fireworks on a date other than the dates authorized for
13 the retail sale of fireworks, the offender is guilty of a



14 misdemeanor and, upon conviction thereof, shall be punished by a
15 fine not to exceed One Thousand Dollars (\$1,000.00) or
16 imprisonment in the county jail for a term not to exceed one (1)
17 year, or both.

18 (c) For a third or subsequent offense of violating
19 Section 45-13-9 by selling fireworks on a date other than the
20 dates authorized for the retail sale of fireworks, the offender is
21 guilty of a felony and, upon conviction thereof, shall be punished
22 by a fine not to exceed Five Thousand Dollars (\$5,000.00) or
23 imprisonment in the county jail or custody of the Mississippi
24 Department of Corrections for a term not to exceed one (1) year,
25 or both."

26 **AMEND FURTHER** the title by inserting the following language
27 after the word "MISDEMEANOR" on line 9: "AND PROVIDE THAT A THIRD
28 OR SUBSEQUENT OFFENSE IS A FELONY"

