

# HOUSE BILL No. 1166

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-11-14-10.5.

**Synopsis:** Local regulation of fireworks. Changes: (1) the dates on which a county or municipal ordinance may limit the use of fireworks in the county or municipality; and (2) the types of fireworks to which such an ordinance may apply.

**Effective:** Upon passage.

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January 9, 2017, read first time and referred to Committee on Public Policy.

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First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

## HOUSE BILL No. 1166

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 22-11-14-10.5, AS ADDED BY P.L.177-2007,
- 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 UPON PASSAGE]: Sec. 10.5. (a) As used in this section, the term
- 4 "use" means the ability of a county or municipality to regulate the days
- 5 and hours when consumer fireworks **or items listed in section 8(a) of**
- 6 **this chapter, or both**, may be used, ignited, or discharged.
- 7 (b) Notwithstanding any other provision of this chapter:
- 8 (1) a county may adopt an ordinance concerning the use of
- 9 consumer fireworks **or items listed in section 8(a) of this**
- 10 **chapter, or both**, in the unincorporated areas of the county; and
- 11 (2) a municipality may adopt an ordinance concerning the use of
- 12 consumer fireworks **or items listed in section 8(a) of this**
- 13 **chapter, or both**, within the corporate limits of the municipality.
- 14 (c) An ordinance adopted under this section:
- 15 (1) may limit **or prohibit** the use of consumer fireworks **or items**
- 16 **listed in section 8(a) of this chapter, or both**, in the county or
- 17 municipality;



1 (2) may not be more lenient than a rule adopted by a state agency  
2 concerning the use of fireworks; and  
3 (3) (2) may not limit the use of consumer fireworks **or items**  
4 **listed in section 8(a) of this chapter, or both:**  
5 (A) between the hours of 5:00 p.m. and two (2) hours after  
6 sunset on ~~June 29, June 30, July 1, July 2, July 3~~ **and July 5;**  
7 **July 6, July 7, July 8, and July 9;**  
8 (B) between the hours of 10:00 a.m. and 12:00 midnight on  
9 July 4; and  
10 (C) between the hours of 10:00 a.m. on December 31 and 1:00  
11 a.m. on January 1.  
12 **SECTION 2. An emergency is declared for this act.**

