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BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909 •

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Senate Bill 382

Sponsor: Senator John F. Kelly

Committee: Judiciary

Date Completed: 5-11-89

SUMMARY OF SENATE BILL 382 as introduced 4-27-89:

The bill would amend provisions of the Michigan Penal Code that regulate fireworks to specify additional conditions that would have to be met for the sale of fireworks for out-of-state shipment without a permit.

The Code currently allows such sales, provided the fireworks are to be shipped pursuant to Federal regulations covering the transportation of explosives by motor, rail, and water. The bill would require that the seller of the fireworks ascertain the out-of-state destination and arrange for direct shipment by common carrier, or a means of transport under his or her control, from the seller's place of business to the destination.

A violation of the bill's transport restriction would be a felony, punishable by up to two years' imprisonment, a maximum fine of \$200,000, or both. (Currently, the Code provides that a violation of its fireworks provisions is a misdemeanor.)

MCL 750.243a and 750.243e

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would result in indeterminate increased costs to the Department of Corrections and the courts depending on the level of enforcement, the number of individuals convicted, and the sentence imposed by the judge.

Fiscal Analyst: F. Sanchez

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.