

Senate Bill 171

By: Senators Jones of the 10th, Harbison of the 15th, Butler of the 55th, Henson of the 41st, Seay of the 34th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 10 of Title 25 of the Official Code of Georgia Annotated, relating to
2 regulation of fireworks, so as to clarify that exploding targets are fireworks that are subject
3 to the permitting, contraband, and penalty provisions of said chapter; to provide for and
4 revise definitions; to revise criminal penalties for a violation of said chapter by selling, using,
5 exploding, or detonating exploding targets; to provide for a short title; to provide for related
6 matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 This Act shall be known and may be cited as "The Jackson Act."

10 **SECTION 2.**

11 Chapter 10 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of
12 fireworks, is amended in subsection (a) of Code Section 25-10-1, relating to definitions, by
13 revising paragraph (5) and by adding a new paragraph to read as follows:

14 "(4.2) 'Exploding targets' mean a binary exploding target package comprising two or
15 more components that are advertised and sold together within a retail package with
16 instructions on how to combine the components to create an explosion or detonation.

17 (5) 'Fireworks' means any combustible or explosive composition or any substance or
18 combination of substances or article prepared for the purpose of producing a visible or
19 audible effect by combustion, explosion, deflagration, or detonation, including blank
20 cartridges, firecrackers, torpedos, skyrockets, bombs, sparklers, and other combustibles
21 and explosives of like construction, as well as articles containing any explosive or
22 flammable compound and tablets and other devices containing an explosive substance,
23 including, but not limited to, exploding targets."

24 **SECTION 3.**

25 Said chapter is further amended by revising Code Section 25-10-8, relating to penalty for
26 violations of chapter, as follows:

27 "25-10-8.

28 (a) Any person, firm, corporation, association, or partnership that violates Code Section
29 25-10-3.2 shall be guilty of a felony and shall be punished by imprisonment for not less
30 than two nor more than ten years, or by a fine of not more than \$10,000.00, or both.

31 (a.1) Any person, firm, corporation, association, or partnership that violates any provision
32 of this chapter by selling, using, exploding, or detonating exploding targets shall be guilty
33 of a misdemeanor of a high and aggravated nature and shall be punished as provided for
34 in Code Section 17-10-4.

35 (b) Except as provided for in subsections (a) and (a.1) of this Code section, any Any
36 person, firm, corporation, association, or partnership that violates any other provision of
37 this chapter shall be guilty of a misdemeanor."

38 **SECTION 4.**

39 All laws and parts of laws in conflict with this Act are repealed.