ENROLLED
House Bill No. 373
(By MR. SCHUPBACH and MR. YOAK)

[Passed March 4, 1953; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty-eight, article three, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to definition of “fireworks”.

Be it enacted by the Legislature of West Virginia:

That section twenty-eight, article three, chapter twenty-nine of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 28. “Fireworks” Defined.—The term “fireworks” shall mean and include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonations, and shall include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, the type of balloons which require fire
underneath to propel the same, firecrackers, torpedoes, sky rockets, roman candles, daygo bombs, sparklers or other fireworks of like construction and any fireworks containing any explosive of flammable compound, or any tablets or other device containing any explosive substance: Provided, however, That the term "fireworks", as herein used, shall not be held to mean and include fixed ammunition for firearms, and the primers therefor: And provided further, That the term "fireworks" as herein used, shall not include toy pistols, toy canes, toy guns or other devices in which paper caps manufactured in accordance with the United States interstate commerce commission regulations for packing and shipping of toy paper caps are used and toy pistol paper caps manufactured as provided therein, the sale and use of which shall be permitted at all times.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signatures]

Chairman Senate Committee
Chairman House Committee

Originated in the House of Delegates

Takes effect ________ day from ________ passage.

[Signatures]

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate
Speaker House of Delegates

The within ________ approved this the ______th day of ________, 1953.

[Signature]
Governor

[Stamp] MAR 11 1953
D. Pitt O'Brien,
Secretary of State