

111TH CONGRESS
1ST SESSION

S. 325

To amend section 845 of title 18, United States Code, relating to explosives, to grant the Attorney General exemption authority.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2009

Mr. COCHRAN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 845 of title 18, United States Code, relating to explosives, to grant the Attorney General exemption authority.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. SPECIFIC EXEMPTION.**

4 Section 845(a) of title 18, United States Code, is
5 amended—

6 (1) in paragraph (5), by striking “and” after
7 the semicolon;

8 (2) in paragraph (6), by striking the period and
9 inserting “; and”; and

10 (3) by adding at the end the following:

1 “(7) pest control pyrotechnics manufactured,
2 imported, used, and stored in accordance with regu-
3 lations issued by the Attorney General.”.

4 **SEC. 2. EXEMPTION AUTHORITY.**

5 Section 845 of title 18, United States Code, is
6 amended by inserting at the end the following:

7 “(d) The Attorney General may exempt from all or
8 a part of the provisions of this chapter explosive materials
9 or explosive devices containing such materials when a de-
10 termination is made, by regulation, that the explosive ma-
11 terials or explosive devices—

12 “(1) are of a type that does not pose a threat
13 to public safety; and

14 “(2) are unlikely to be used as a weapon.”.

15 **SEC. 3. EFFECTIVE DATE.**

16 The amendment made by this Act shall take effect
17 180 days after the date of enactment of this Act.

