

By: Leo-Wilson

H.B. No. 3590

Substitute the following for H.B. No. 3590:

By: Tinderholt

C.S.H.B. No. 3590

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the sale of fireworks on and before the Juneteenth
3 holiday in certain counties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2154.202(g), Occupations Code, is
6 amended to read as follows:

7 (g) Except as provided by Subsection (h), a retail fireworks
8 permit holder may sell fireworks only to the public, and only during
9 periods:

10 (1) beginning June 14 and ending at midnight on June 19
11 in a county in which the commissioners court of the county has
12 approved the sale of fireworks during the period;

13 (2) beginning June 24 and ending at midnight on July 4;

14 (3) [~~2~~] beginning December 20 and ending at midnight
15 on January 1 of the following year; and

16 (4) [~~3~~] beginning May 1 and ending at midnight on
17 May 5 if the fireworks are sold at a location that is not more than
18 100 miles from the Texas-Mexico border and that is in a county in
19 which the commissioners court of the county has approved the sale of
20 fireworks during the period.

21 SECTION 2. Sections 352.051(b) and (d), Local Government
22 Code, are amended to read as follows:

23 (b)(1) The Texas A&M Forest Service in the ordinary course
24 of its activities shall determine whether drought conditions, as

1 defined under Subsection (a)(2), exist on average in any county
2 requesting such a determination. The Texas A&M Forest Service
3 shall make available the measurement index guidelines used to
4 determine whether drought conditions exist in a particular area.
5 Following any determination that such drought conditions exist, the
6 Texas A&M Forest Service shall notify said county or counties when
7 such drought conditions no longer exist. The Texas A&M Forest
8 Service shall make its services available each day during the Texas
9 Independence Day, San Jacinto Day, Memorial Day, Juneteenth, Fourth
10 of July, and December fireworks seasons to respond to the request of
11 any county for a determination whether drought conditions exist on
12 average in the county.

13 (2) The Texas A&M Forest Service shall be allowed to
14 take such donations of equipment or funds as necessary to aid in the
15 carrying out of this section.

16 (d) To facilitate compliance with an order adopted under
17 Subsection (c), the order must be adopted before:

18 (1) February 15 of each year for the Texas
19 Independence Day fireworks season;

20 (2) April 1 of each year for the San Jacinto Day
21 fireworks season;

22 (3) April 25 of each year for the Cinco de Mayo
23 fireworks season;

24 (4) May 15 of each year for the Memorial Day fireworks
25 season;

26 (5) June 1 of each year for the Juneteenth fireworks
27 season;

1 (6) June 15 of each year for the Fourth of July
2 fireworks season; and

3 (7) [~~(6)~~] December 15 of each year for each December
4 fireworks season.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2023.