

## BILL ANALYSIS

Senate Research Center

S.B. 693  
By: Gallegos  
State Affairs  
3/12/2003  
As Filed

### DIGEST AND PURPOSE

Current Texas law contains no uniform standards for the use of flame effects or pyrotechnics. As proposed, S.B. 693 adopts standards set forth by the National Fire Protection Association and incorporates them into the Occupations Code in order to create statewide standards and procedures to be applied to the use of flame effects and pyrotechnics in Texas. Specifically, S.B. 693 prohibits the use of such effects unless a relevant authority puts certain requirements in place and approves of the use of the effects, and requires the presence of a standby fire watch under certain circumstances.

### RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 13, Chapter 2154, Occupations Code, by adding Section 2154.253, as follows:

Sec. 2154.253. PROHIBITED USE OF FLAME EFFECTS AND/OR PYROTECHNICS.

(a) Defines “approved,” “approving authority,” “assembly,” “flame effect,” “pyrotechnics,” and “standby fire watch.”

(b) Provides that this section applies to flame effects and/or pyrotechnics used in theatrical performances, entertainment, exhibition, demonstration, or simulation before an assembly. Provides that this section shall apply to certain specific situations.

(c) Prohibits the use of flame effects and/or pyrotechnics before an assembly unless approved by the approving authority as designated by this section.

(d) Authorizes the approving authority for the jurisdiction covering the assembly to promulgate standards, codes, or regulations regarding the requirements necessary to acquire a permit for the use of flame effects and/or pyrotechnics before an assembly. Requires the presence of a standby fire watch under certain circumstances, if the jurisdiction promulgates such standards, codes, or regulations.

(e) Provides that a person commits an offense if the person violates this section. Provides that an offense under this section is a Class A misdemeanor, and that each day a violation occurs or continues to occur constitutes a separate offense. Provides that venue under this section is in the county in which the offense is committed or in Travis County.

(f) Prohibits this chapter from invalidating a municipal or county ordinance, order, or rule in effect on September 1, 2003.

(g) Prohibits this section from limiting or restricting the authority of a county, where authorized by law, or a municipality to enact an ordinance or order prohibiting or further regulating flame effects and/or pyrotechnics.

SECTION 2. Effective date: September 1, 2003.