

By: Janek

S.B. No. 695

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of certain counties to prohibit the use or
3 possession of certain fireworks on public beaches.

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

5 SECTION 1. Section 61.122, Natural Resources Code, is
6 amended by adding Subsection (g) to read as follows:

7 (g) The commissioners court of a county bordering on the
8 Gulf of Mexico or its tidewater limits, by order, may prohibit the
9 use or possession of any aerial fireworks on a beach in the
10 unincorporated area of the county. In this subsection, "aerial
11 fireworks" means those items classified under 49 C.F.R. Section
12 173.100(r)(2) (10-1-86 edition) as "skyrockets with sticks" and
13 other pyrotechnic devices that have fins or rudders for the purpose
14 of achieving aerodynamic flight, including a device that would be
15 considered a missile or a rocket.

16 SECTION 2. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2003.