

1-1 By: Madla S.B. No. 1563
1-2 (In the Senate - Filed March 14, 2003; March 20, 2003, read
1-3 first time and referred to Committee on State Affairs;
1-4 April 7, 2003, rereferred to Committee on Intergovernmental
1-5 Relations; April 28, 2003, reported adversely, with favorable
1-6 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-7 April 28, 2003, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR S.B. No. 1563 By: Madla

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to the regulation of aerial fireworks.
1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-13 SECTION 1. Subsection (b), Section 2154.003, Occupations
1-14 Code, is amended to read as follows:
1-15 (b) The following are not permissible fireworks:
1-16 (1) sky rockets or "bottle rockets" with:
1-17 (A) a total propellant charge of less than four
1-18 grams;
1-19 (B) a casing size of less than five-eighths of an
1-20 inch for the outside diameter and less than 3-1/2 inches in length;
1-21 and
1-22 (C) an overall length, including stick, of less
1-23 than 15 inches; ~~and~~
1-24 (2) "aerial fireworks" classified under 49 C.F.R.
1-25 Section 173.100(r)(2) (10-1-86 edition) as "skyrockets with
1-26 sticks" and other pyrotechnic devices that have fins or rudders for
1-27 the purpose of achieving aerodynamic flight, including a device
1-28 that would be considered a missile or a rocket; and
1-29 (3) other fireworks determined not acceptable by the
1-30 United States Consumer Product Safety Commission.
1-31 SECTION 2. Subsection (c), Section 2154.252, Occupations
1-32 Code, is amended to read as follows:
1-33 (c) Fireworks may not be sold or offered for sale to
1-34 children under 16 [~~12~~] years of age or to an intoxicated or
1-35 incompetent person. A person selling fireworks at retail shall
1-36 make a reasonable effort to determine that potential purchasers of
1-37 fireworks are of the minimum age required by this subsection.
1-38 SECTION 3. This Act takes effect January 2, 2004.

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