

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**March 3, 2003**

**TO:** Honorable Glenn Lewis, Chair, House Committee on County Affairs

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: HB1069** by Howard (Relating to the regulation of fireworks by counties in a residential subdivision; providing a criminal penalty.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend Chapter 352, Local Government Code, to authorize counties to prohibit the possession, use, and sale of fireworks in a residential subdivision located in the unincorporated area of the county. A violation of regulations would be classified as a Class C misdemeanor. The commissioners court would be required to hold an election in the subdivision regarding prohibiting fireworks within the subdivision if at least 100 registered voters in the subdivision were to petition the commissioners court. The county clerk would be required to verify the petition and if an election is held, it would be held on the first uniform election date that occurs after the date the court receives the county clerk's certification of the petition. The bill would take effect immediately if it were to receive two-thirds vote in each house; otherwise, it would take effect September 1, 2003.

**Local Government Impact**

It is anticipated that the costs associated with verifying the petition and enforcement of the ban would be absorbed by the existing budget as part of the regular duties of the affected county officials. Because any required election would occur on a uniform election date, election costs would not create a new cost, although the special ballot for the affected subdivision or subdivisions may add slightly to the election costs. If fireworks had been sold in an area and then the sale was banned, there may be a small loss in sales tax revenue that may just shift to another part of the same county, resulting in no sales tax loss.

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JK, DLBa