

By: Dutton

H.B. No. 1650

A BILL TO BE ENTITLED

1 AN ACT

2 relating to prohibiting the sale of fireworks by a person under 18  
3 years of age and to the prosecution of offenses involving  
4 fireworks.

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

6 SECTION 1. Section 2154.251, Occupations Code, is amended  
7 by adding Subsection (c) to read as follows:

8 (c) A person may not in the course of the person's business  
9 employ or allow a person under 18 years of age to manufacture,  
10 distribute, sell, or use fireworks.

11 SECTION 2. Section 2154.303(c), Occupations Code, is  
12 amended to read as follows:

13 (c) A violation of Section 2154.251(a)(1), (2), (3), (4), or  
14 (5) that results in property damage in an amount of less than \$200  
15 and does not result in bodily injury or death is a Class C  
16 misdemeanor. A violation of Section 2154.252(c) is a Class C  
17 misdemeanor.

18 SECTION 3. (a) The changes in law made by this Act only  
19 apply to an offense committed on or after the effective date of this  
20 Act. For purposes of this section, an offense is committed before  
21 the effective date of this Act if any element of the offense occurs  
22 before that date.

23 (b) An offense committed before the effective date of this  
24 Act is covered by the law in effect when the offense was committed,

1 and the former law is continued in effect for that purpose.

2 SECTION 4. This Act takes effect June 20, 2005, if it  
3 receives a vote of two-thirds of all the members elected to each  
4 house, as provided by Section 39, Article III, Texas Constitution.  
5 If this Act does not receive the vote necessary for immediate  
6 effect, this Act takes effect September 1, 2005.