

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 29, 2005

TO: Honorable Frank Madla, Chair, Senate Committee on Intergovernmental Relations

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: SB430 by Lindsay (Relating to the regulation of fireworks and fireworks displays in certain populous counties.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend Section 2154.003, Occupations Code to add, that in a county with a population of 3.3 million or more, "skyrockets with sticks" and other certain pyrotechnic devices that would be considered a missile or a rocket are not permissible. This provision would take effect January 1, 2006.

Section 2154.054 would be amended to require the state fire marshal and an advisory council established by the Texas commissioner of insurance to recommend to the commissioners court in a county with a population of 3.3 million or more changes to rules to promote public safety and property protection. The state fire marshal and the advisory council would also be required to promote cooperation between the fireworks industry and a local government with a population of 3.3 million or more.

Section 2154.252 would be amended to raise the minimum age of children to whom fireworks may be sold in a county with a population of 3.3 million or more from 12 years of age to 16.

The bill would take effect immediately if it receives the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005.

It is anticipated that the requirements of the bill that apply to the Texas Department of Insurance could be absorbed using existing resources.

Raising the age of children to whom fireworks may be sold in certain counties is not anticipated to have a significant impact on sales tax collected.

Local Government Impact

Based on the 2000 federal decennial census, the population requirement of the bill would apply only to Harris County.

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, DLBa