

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

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**April 10, 2007**

**TO:** Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

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

**IN RE: SB1489** by Watson (Relating to the regulation of fireworks by counties in densely populated unincorporated areas; providing a criminal penalty.), **As Introduced**

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

The bill would add Section 352.052 to Subchapter C of Chapter 352, Local Government Code, to authorize a county commissioners court to designate a specific unincorporated area of the county as an urban zone if the area has a population density at the same or a greater density than that of the most populous municipality located primarily in the county. The county would be authorized to prohibit or otherwise regulate the sale, possession, or use of fireworks in that area. The county would be required to send notice of the regulations to the state fire marshal not later than the 30th day after the date the order is adopted. The state fire marshal would be required to send a copy to each licensed manufacturer, distributor, and jobber in the affected county not later than the 30th day after the date the fire marshal received the order.

A violation of the order would be a Class C misdemeanor, which is punishable by a fine not to exceed \$500.

The bill would take effect immediately if it were to receive the required two-thirds vote in each house; otherwise, it would take effect September 1, 2007.

It is anticipated that requirements under the bill for the state fire marshal could be absorbed within existing resources.

**Local Government Impact**

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

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** JOB, DB