

BILL ANALYSIS

H.B. 599
By: Hughes
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, fireworks can only be sold on or before three holidays: Independence Day, New Year's Day, and Cinco de Mayo. H.B. 599 allows the statewide sale of fireworks on or before Texas Independence Day, beginning in the holiday period of February 20th and ending at midnight on March 2nd. The bill does not change a county's authority to ban the use of fireworks if the Texas Forest Service determines that the county is experiencing drought conditions.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 599 amends the Occupations Code to add the period beginning February 20 and ending at midnight on March 2 to the periods during which a retail fireworks permit holder may sell fireworks only to the public.

H.B. 599 amends the Local Government Code to add the Texas Independence Day fireworks season to the fireworks seasons during which the Texas Forest Service is required to make its services available each day to respond to a county's request for a determination of whether drought conditions exist on average in the county. The bill amends a provision establishing deadlines for a county's commissioners court to adopt an order prohibiting or restricting the sale or use of fireworks in the county's unincorporated area to add February 15 of each year as that deadline for the Texas Independence Day fireworks season.

EFFECTIVE DATE

September 1, 2009.