

BILL ANALYSIS

C.S.H.B. 1727
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Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In Texas, consumers may violate the law by possessing fireworks within the limits of a municipality while transporting fireworks to a final destination for use. In many cases, consumers have legally purchased fireworks at a location and been cited immediately after purchase when the road to their home briefly passes through a municipality where the use of fireworks is illegal.

C.S.H.B. 1727 prohibits the regulation or prohibition of fireworks being transported within a municipality as long as the fireworks are in their original, unopened packaging.

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

C.S.H.B. 1727 amends Local Government Code provisions that apply to a type A general-law municipality to prohibit the transport of fireworks in unopened and original packaging from being prohibited or regulated.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 1727 differs from the original by prohibiting the transport of fireworks in unopened and original packaging from being prohibited or regulated, whereas the original prohibited the governing body of a municipality from prohibiting the transport of such fireworks in a motor vehicle within municipal limits.