

## **BILL ANALYSIS**

H.B. 1684  
By: Fletcher  
Urban Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties report that, unlike many other types of businesses, fireworks businesses typically do not get notice of changing laws when an area is annexed, and that once the annexation occurs a municipality can immediately shut down a fireworks business without notice or warning if the city has a prohibition against the sale of fireworks. The parties further report that a fireworks business usually has to lease property for the business and is obligated to fulfill the leasing agreement, whether or not the business is operating. The parties observe that if a business is not allowed to earn income, it is difficult for the business to fulfill such a leasing contract. H.B. 1684 seeks to address issues relating to the regulation of fireworks in areas annexed by a municipality for limited purposes.

### **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. 1684 amends the Local Government Code to prohibit a municipality that annexes an area for limited purposes from prohibiting the sale or use of fireworks in the area and subjects a regulation relating to such sale and use under provisions of law relating to the continuation of land use after municipal annexation to these restrictions.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.