

By: White of Tyler

H.B. No. 1150

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the sale of fireworks on and before certain holidays.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 2154.202(g), Occupations Code, is  
5 amended to read as follows:

6 (g) A retail fireworks permit holder may sell fireworks only  
7 to the public, and only during periods:

8 (1) beginning February 25 and ending at midnight on  
9 March 2;

10 (2) beginning April 16 and ending at midnight on April  
11 21;

12 (3) beginning the Wednesday before the last Monday in  
13 May and ending at midnight on the last Monday in May;

14 (4) beginning June 24 and ending at midnight on July 4;

15 (5) [~~2~~] beginning December 20 and ending at midnight  
16 on January 1 of the following year; and

17 (6) [~~3~~] beginning May 1 and ending at midnight on  
18 May 5 if the fireworks are sold at a location that is not more than  
19 100 miles from the Texas-Mexico border and that is in a county in  
20 which the commissioners court of the county has approved the sale of  
21 fireworks during the period.

22 SECTION 2. Section 352.051(b)(1), Local Government Code, is  
23 amended to read as follows:

24 (1) The Texas Forest Service in the ordinary course of

1 its activities shall determine whether drought conditions, as  
2 defined under Subsection (a)(2), exist on average in any county  
3 requesting such a determination. The Texas Forest Service shall  
4 make available the measurement index guidelines used to determine  
5 whether drought conditions exist in a particular area. Following  
6 any determination that such drought conditions exist, the Texas  
7 Forest Service shall notify said county or counties when such  
8 drought conditions no longer exist. The Texas Forest Service shall  
9 make its services available each day during the Texas Independence  
10 Day, San Jacinto Day, Memorial Day, Fourth of July, and December  
11 fireworks seasons to respond to the request of any county for a  
12 determination whether drought conditions exist on average in the  
13 county.

14 SECTION 3. Section 352.051(d), Local Government Code, is  
15 amended to read as follows:

16 (d) To facilitate compliance with an order adopted under  
17 Subsection (c), the order must be adopted before:

18 (1) February 15 of each year for the Texas  
19 Independence Day fireworks season;

20 (2) April 1 of each year for the San Jacinto Day  
21 fireworks season;

22 (3) April 25 of each year for the Cinco de Mayo  
23 fireworks season;

24 (4) May 15 of each year for the Memorial Day fireworks  
25 season;

26 (5) [~~2~~] June 15 of each year for the Fourth of July  
27 fireworks season; and

1                    (6) [~~(3)~~] December 15 of each year for each December  
2 fireworks season.

3                    SECTION 4. This Act takes effect September 1, 2015.