

By: Roberts, Gutierrez, et al.

H.B. No. 1183

A BILL TO BE ENTITLED

AN ACT

relating to the prohibition by counties of the use of fireworks during certain hours; creating a criminal offense.

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

SECTION 1. Subchapter C, Chapter 352, Local Government Code, is amended by adding Section 352.052 to read as follows:

Sec. 352.052. PROHIBITION ON FIREWORK USE DURING CERTAIN HOURS. (a) In this section, "fireworks" means any composition or device designed for entertainment to produce a visible or audible effect by combustion, explosion, deflagration, or detonation.

(b) The commissioners court of a county by order may prohibit the use of fireworks in the unincorporated area of the county during the hours specified by the order. The order may include:

(1) an exemption for holidays, including New Year's Eve and July 4; and

(2) a process by which a person may apply to the county for a permit to use fireworks during a time prohibited by the order.

(c) A person commits an offense if the person intentionally or knowingly violates a prohibition adopted under this section by the commissioners court. An offense under this subsection is a Class C misdemeanor.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2017.