

By: Rinaldi

H.B. No. 1417

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the sale of fireworks during and before the Diwali
3 holiday.

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

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

7 (g) Except as provided by Subsection (h), a retail fireworks
8 permit holder may sell fireworks only to the public, and only during
9 periods:

- 10 (1) beginning June 24 and ending at midnight on July 4;
11 (2) beginning December 20 and ending at midnight on
12 January 1 of the following year; ~~and~~
13 (3) beginning May 1 and ending at midnight on May 5 if
14 the fireworks are sold at a location that is not more than 100 miles
15 from the Texas-Mexico border and that is in a county in which the
16 commissioners court of the county has approved the sale of
17 fireworks during the period; and
18 (4) beginning five days before the first day of Diwali
19 and ending at midnight on the last day of Diwali.

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

22 (1) The Texas A&M Forest Service in the ordinary
23 course of its activities shall determine whether drought
24 conditions, as defined under Subsection (a)(2), exist on average in

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

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

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

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

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

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

22 (4) May 15 of each year for the Memorial Day fireworks
23 season;

24 (5) June 15 of each year for the Fourth of July
25 fireworks season; [~~and~~]

26 (6) 15 days before the beginning of Diwali for the
27 Diwali fireworks season; and

1 (7) December 15 of each year for each December
2 fireworks season.

3 SECTION 4. This Act takes effect September 1, 2017.