

By: Guillen

H.B. No. 4519

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the sale of fireworks on and before the Juneteenth  
3 holiday and on and before the Labor Day 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 June 14 and ending at midnight on June  
19 19; and

20 (5) beginning five days before Labor Day and ending at  
21 midnight on Labor Day.

22 SECTION 2. Sections 352.051(b) and (d), Local Government  
23 Code, are amended to read as follows:

24 (b)(1) The Texas A&M Forest Service in the ordinary course

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

14 (2) The Texas A&M Forest Service shall be allowed to  
15 take such donations of equipment or funds as necessary to aid in the  
16 carrying out of this section.

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

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

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

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

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

27 (5) June 1 of each year for the Juneteenth fireworks

1 season;

2           (6) June 15 of each year for the Fourth of July  
3 fireworks season; ~~and~~

4           (7) August 15 of each year for the Labor Day fireworks  
5 season; and

6           (8) [~~6~~] December 15 of each year for each December  
7 fireworks season.

8           SECTION 3. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2021.