

AN ACT

relating to the sale of fireworks before and during the Diwali holiday.

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

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

(h) In addition to the periods during which the sale of fireworks is authorized under Subsection (g), the commissioners court of a county by order may allow a retail fireworks permit holder to sell fireworks in that county only to the public and only during one or more of the following periods:

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

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

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

(4) beginning five days before the first day of Diwali and ending at midnight on the last day of Diwali.

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

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

1 requesting such a determination. The Texas A&M Forest Service
2 shall make available the measurement index guidelines used to
3 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 (2) The Texas A&M Forest Service shall be allowed to
13 take such donations of equipment or funds as necessary to aid in the
14 carrying out of this section.

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

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

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

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

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

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

27 (6) 15 days before the beginning of Diwali for the

1 Diwali fireworks season; and

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

4 SECTION 3. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 608 was passed by the House on March 29, 2023, by the following vote: Yeas 139, Nays 8, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 608 was passed by the Senate on May 17, 2023, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor