

1-1 By: Shaheen, et al. (Senate Sponsor - Huffman) H.B. No. 608
 1-2 (In the Senate - Received from the House March 29, 2023;
 1-3 March 30, 2023, read first time and referred to Committee on Local
 1-4 Government; May 3, 2023, reported favorably by the following vote:
 1-5 Yeas 9, Nays 0; May 3, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the sale of fireworks before and during the Diwali
 1-20 holiday.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section [2154.202\(h\)](#), Occupations Code, is
 1-23 amended to read as follows:

1-24 (h) In addition to the periods during which the sale of
 1-25 fireworks is authorized under Subsection (g), the commissioners
 1-26 court of a county by order may allow a retail fireworks permit
 1-27 holder to sell fireworks in that county only to the public and only
 1-28 during one or more of the following periods:

1-29 (1) beginning February 25 and ending at midnight on
 1-30 March 2;

1-31 (2) beginning April 16 and ending at midnight on April
 1-32 21; ~~and~~

1-33 (3) beginning the Wednesday before the last Monday in
 1-34 May and ending at midnight on the last Monday in May; and

1-35 (4) beginning five days before the first day of Diwali
 1-36 and ending at midnight on the last day of Diwali.

1-37 SECTION 2. Sections [352.051\(b\)](#) and [\(d\)](#), Local Government
 1-38 Code, are amended to read as follows:

1-39 (b)(1) The Texas A&M Forest Service in the ordinary course
 1-40 of its activities shall determine whether drought conditions, as
 1-41 defined under Subsection (a)(2), exist on average in any county
 1-42 requesting such a determination. The Texas A&M Forest Service
 1-43 shall make available the measurement index guidelines used to
 1-44 determine whether drought conditions exist in a particular area.
 1-45 Following any determination that such drought conditions exist, the
 1-46 Texas A&M Forest Service shall notify said county or counties when
 1-47 such drought conditions no longer exist. The Texas A&M Forest
 1-48 Service shall make its services available each day during the Texas
 1-49 Independence Day, San Jacinto Day, Memorial Day, Fourth of July,
 1-50 Diwali, and December fireworks seasons to respond to the request of
 1-51 any county for a determination whether drought conditions exist on
 1-52 average in the county.

1-53 (2) The Texas A&M Forest Service shall be allowed to
 1-54 take such donations of equipment or funds as necessary to aid in the
 1-55 carrying out of this section.

1-56 (d) To facilitate compliance with an order adopted under
 1-57 Subsection (c), the order must be adopted before:

1-58 (1) February 15 of each year for the Texas
 1-59 Independence Day fireworks season;

1-60 (2) April 1 of each year for the San Jacinto Day
 1-61 fireworks season;

2-1 (3) April 25 of each year for the Cinco de Mayo
2-2 fireworks season;
2-3 (4) May 15 of each year for the Memorial Day fireworks
2-4 season;
2-5 (5) June 15 of each year for the Fourth of July
2-6 fireworks season; ~~and~~
2-7 (6) 15 days before the beginning of Diwali for the
2-8 Diwali fireworks season; and
2-9 (7) December 15 of each year for each December
2-10 fireworks season.

2-11 SECTION 3. This Act takes effect September 1, 2023.

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