

1-1 By: White of Tyler, et al. H.B. No. 1150
 1-2 (Senate Sponsor - Nichols)
 1-3 (In the Senate - Received from the House May 14, 2015;
 1-4 May 15, 2015, read first time and referred to Committee on
 1-5 Intergovernmental Relations; May 22, 2015, reported favorably by
 1-6 the following vote: Yeas 5, Nays 0; May 22, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
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 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the sale of fireworks on and before certain holidays;
 1-19 affecting a provision subject to a criminal penalty.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 2154.202, Occupations Code, is amended
 1-22 by amending Subsection (g) and adding Subsection (h) to read as
 1-23 follows:

1-24 (g) Except as provided by Subsection (h), a [A] retail
 1-25 fireworks permit holder may sell fireworks only to the public, and
 1-26 only during periods:

1-27 (1) beginning June 24 and ending at midnight on July 4;

1-28 (2) beginning December 20 and ending at midnight on
 1-29 January 1 of the following year; and

1-30 (3) beginning May 1 and ending at midnight on May 5 if
 1-31 the fireworks are sold at a location that is not more than 100 miles
 1-32 from the Texas-Mexico border and that is in a county in which the
 1-33 commissioners court of the county has approved the sale of
 1-34 fireworks during the period.

1-35 (h) In addition to the periods during which the sale of
 1-36 fireworks is authorized under Subsection (g), the commissioners
 1-37 court of a county by order may allow a retail fireworks permit
 1-38 holder to sell fireworks in that county only to the public and only
 1-39 during one or more of the following periods:

1-40 (1) beginning February 25 and ending at midnight on
 1-41 March 2;

1-42 (2) beginning April 16 and ending at midnight on April
 1-43 21; and

1-44 (3) beginning the Wednesday before the last Monday in
 1-45 May and ending at midnight on the last Monday in May.

1-46 SECTION 2. Section 352.051(b)(1), Local Government Code, is
 1-47 amended to read as follows:

1-48 (1) The Texas Forest Service in the ordinary course of
 1-49 its activities shall determine whether drought conditions, as
 1-50 defined under Subsection (a)(2), exist on average in any county
 1-51 requesting such a determination. The Texas Forest Service shall
 1-52 make available the measurement index guidelines used to determine
 1-53 whether drought conditions exist in a particular area. Following
 1-54 any determination that such drought conditions exist, the Texas
 1-55 Forest Service shall notify said county or counties when such
 1-56 drought conditions no longer exist. The Texas Forest Service shall
 1-57 make its services available each day during the Texas Independence
 1-58 Day, San Jacinto Day, Memorial Day, Fourth of July, and December
 1-59 fireworks seasons to respond to the request of any county for a
 1-60 determination whether drought conditions exist on average in the
 1-61 county.

2-1 SECTION 3. Section 352.051(d), Local Government Code, is
2-2 amended to read as follows:

2-3 (d) To facilitate compliance with an order adopted under
2-4 Subsection (c), the order must be adopted before:

2-5 (1) February 15 of each year for the Texas
2-6 Independence Day fireworks season;

2-7 (2) April 1 of each year for the San Jacinto Day
2-8 fireworks season;

2-9 (3) April 25 of each year for the Cinco de Mayo
2-10 fireworks season;

2-11 (4) May 15 of each year for the Memorial Day fireworks
2-12 season;

2-13 (5) [~~2~~] June 15 of each year for the Fourth of July
2-14 fireworks season; and

2-15 (6) [~~3~~] December 15 of each year for each December
2-16 fireworks season.

2-17 SECTION 4. This Act takes effect September 1, 2015.

2-18 * * * * *