

1-1 By: Shaheen, Capriglione, Patterson H.B. No. 466
 1-2 (Senate Sponsor - Huffman)
 1-3 (In the Senate - Received from the House May 10, 2021;
 1-4 May 10, 2021, read first time and referred to Committee on Local
 1-5 Government; May 20, 2021, reported favorably by the following
 1-6 vote: Yeas 6, Nays 0; May 20, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
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			X	

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the sale of fireworks before and during the Diwali
 1-21 holiday.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section [2154.202\(h\)](#), Occupations Code, is
 1-24 amended to read as follows:

1-25 (h) In addition to the periods during which the sale of
 1-26 fireworks is authorized under Subsection (g), the commissioners
 1-27 court of a county by order may allow a retail fireworks permit
 1-28 holder to sell fireworks in that county only to the public and only
 1-29 during one or more of the following periods:

1-30 (1) beginning February 25 and ending at midnight on
 1-31 March 2;

1-32 (2) beginning April 16 and ending at midnight on April
 1-33 21; ~~and~~

1-34 (3) beginning the Wednesday before the last Monday in
 1-35 May and ending at midnight on the last Monday in May; and

1-36 (4) beginning five days before the first day of Diwali
 1-37 and ending at midnight on the last day of Diwali.

1-38 SECTION 2. Sections [352.051\(b\)](#) and [\(d\)](#), Local Government
 1-39 Code, are amended to read as follows:

1-40 (b)(1) The Texas A&M Forest Service in the ordinary course
 1-41 of its activities shall determine whether drought conditions, as
 1-42 defined under Subsection (a)(2), exist on average in any county
 1-43 requesting such a determination. The Texas A&M Forest Service
 1-44 shall make available the measurement index guidelines used to
 1-45 determine whether drought conditions exist in a particular area.
 1-46 Following any determination that such drought conditions exist, the
 1-47 Texas A&M Forest Service shall notify said county or counties when
 1-48 such drought conditions no longer exist. The Texas A&M Forest
 1-49 Service shall make its services available each day during the Texas
 1-50 Independence Day, San Jacinto Day, Memorial Day, Fourth of July,
 1-51 Diwali, and December fireworks seasons to respond to the request of
 1-52 any county for a determination whether drought conditions exist on
 1-53 average in the county.

1-54 (2) The Texas A&M Forest Service shall be allowed to
 1-55 take such donations of equipment or funds as necessary to aid in the
 1-56 carrying out of this section.

1-57 (d) To facilitate compliance with an order adopted under
 1-58 Subsection (c), the order must be adopted before:

1-59 (1) February 15 of each year for the Texas
 1-60 Independence Day fireworks season;

1-61 (2) April 1 of each year for the San Jacinto Day

2-1 fireworks season;
2-2 (3) April 25 of each year for the Cinco de Mayo
2-3 fireworks season;
2-4 (4) May 15 of each year for the Memorial Day fireworks
2-5 season;
2-6 (5) June 15 of each year for the Fourth of July
2-7 fireworks season; [~~and~~]
2-8 (6) 15 days before the beginning of Diwali for the
2-9 Diwali fireworks season; and
2-10 (7) December 15 of each year for each December
2-11 fireworks season.
2-12 SECTION 3. This Act takes effect September 1, 2021.

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