

BILL ANALYSIS

C.S.S.B. 1593
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Urban Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Certain municipalities may define and prohibit a nuisance within a sizeable area outside municipal boundaries. Interested parties have expressed concerns regarding the applicability of that authorization to the sale of a firework or similar material. C.S.S.B. 1593 seeks to allow certain businesses in the fireworks industry to conduct their business as usual.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 1593 amends the Local Government Code to prohibit a Type A general-law municipality from defining and prohibiting as a nuisance the sale of a firework or similar material outside the limits of the municipality.

EFFECTIVE DATE

September 1, 2015.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 1593 may differ from the engrossed in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the engrossed and committee substitute versions of the bill.

ENGROSSED

SECTION 1. Section 217.042, Local Government Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (c), ~~the~~ [The] municipality may define and prohibit any nuisance within the limits of the municipality and within 5,000 feet outside

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 217.042, Local Government Code, is amended by amending Subsection (a) and adding Subsection (c) to read as follows:

(a) Except as provided by Subsection (c), ~~the~~ [The] municipality may define and prohibit any nuisance within the limits of the municipality and within 5,000 feet

the limits.

(c) The municipality may define and prohibit as a nuisance the sale or use of a firework or similar material only within the limits of the municipality.

SECTION 2. This Act takes effect September 1, 2015.

outside the limits.

(c) The municipality may not define and prohibit as a nuisance the sale of a firework or similar material outside the limits of the municipality.

SECTION 2. Same as engrossed version.