

BILL ANALYSIS

Senate Research Center
87R701 ADM-D

H.B. 466
By: Shaheen et al. (Huffman)
Local Government
5/14/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Texas law only allows the sale or purchase of fireworks for certain holidays, including the 10 days leading up to Independence Day (June 24-July 4) and the two weeks around the Christmas and New Year holidays (December 20-January 1). Additionally, a commissioners court has the authority to permit the sale of fireworks for additional holidays, including Texas Independence Day, San Jacinto Day, Memorial Day, and even Cinco de Mayo, if the individual is located within 100 miles of the United States/Mexico border.

H.B. 466 seeks to amend Texas law to expand the period an individual can sell or purchase fireworks to include Diwali. Diwali, the Hindu festival of light, is an important celebration in Hinduism signifying the triumph of light over darkness. The addition of this holiday would allow the growing Indian and Southeast Asian population in Texas to celebrate an important religious holiday and demonstrate their customs.

H.B. 466 amends current law relating to the sale of fireworks before and during the Diwali holiday.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2154.202(h), Occupations Code, as follows:

(h) Authorizes the commissioners court of a county by order, in addition to the periods during which the sale of fireworks is authorized under Subsection (g) (relating to specific periods during which a retail fireworks permit holder is authorized to sell fireworks only to the public), to 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) makes no changes to this subdivision;
- (2) and (3) makes nonsubstantive changes to these subdivisions; and
- (4) beginning five days before the first day of Diwali and ending at midnight on the last day of Diwali.

SECTION 2. Amends Sections 352.051(b) and (d), Local Government Code, as follows:

(b) Makes conforming and nonsubstantive changes to this subsection.

(d) Requires that, to facilitate compliance with an order adopted under Subsection (c) (relating to an order by the commissioners court of a county to prohibit or restrict the sale or use of fireworks), the order be adopted before:

- (1) - (4) makes no changes to these subdivisions;

(5) makes a nonsubstantive change to this subdivision;

(6) 15 days before the beginning of Diwali for the Diwali fireworks season; and

(7) creates this subdivision from existing text and makes no further changes.

SECTION 3. Effective date: September 1, 2021.