

## **BILL ANALYSIS**

Senate Research Center

S.B. 489  
By: Madla  
Intergovernmental Relations  
4-3-97  
As Filed

### **DIGEST**

Currently, only Harris County can propose and adopt rules regulating explosives. Explosives are often not regulated in the unincorporated areas of the remaining counties. For example, San Antonio uses the 1994 Uniform Fire Code to regulate the use of explosives. However, outside the city limits, but within Bexar County, there are no regulations for explosives. In Harris County, the sheriff may propose rules to regulate the production, distribution, transport, transfer, use, and possession of an explosive in the county. The purpose of these rules is to enforce standards concerning the manufacture, transportation, transfer, use, handling, and storage of explosives as is necessary for the protection of public health, welfare, or safety and of persons possessing, handling and using explosives. S.B. 489 would require persons, in a county with a population of one million or more, to obtain a permit from the sheriff before the person may produce, distribute, transport, use, or possess an explosive, or maintain a permanent storage magazine within that county.

### **PURPOSE**

As proposed, S.B. 489 outlines provisions regarding the authority of sheriffs in certain counties to regulate certain activities involving explosives.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 236.001(a), Local Government Code, to provide that this Chapter 236, relating to applicability, applies only to a county with a population of one, rather than two, million or more.

SECTION 2. Emergency clause.  
Effective date: upon passage.