

By: Murr

H.B. No. 222

A BILL TO BE ENTITLED

AN ACT

1
2 relating to liability of burn bosses in connection with certain
3 prescribed burns.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter C, Chapter 153, Natural Resources
6 Code, is amended by adding Section 153.084 to read as follows:

7 Sec. 153.084. LIMITATION OF BURN BOSS LIABILITY. (a) In
8 this section, "burn boss" has the meaning assigned by Section
9 153.083.

10 (b) Except as provided by Subsection (c), a burn boss is not
11 liable for property damage, personal injury, or death caused by or
12 resulting from the burn in excess of the insurance requirements
13 established by the board under Section 153.046 if the burn boss has:

14 (1) completed an accredited prescribed burning
15 training course approved by the board; and

16 (2) satisfied the experience requirements prescribed
17 by the board.

18 (c) This section does not apply to a burn boss who commits
19 gross negligence or intentionally causes property damage, personal
20 injury, or death.

21 SECTION 2. Section 153.084, Natural Resources Code, as
22 added by this Act, applies only to a cause of action that accrues on
23 or after the effective date of this Act.

24 SECTION 3. This Act takes effect September 1, 2021.