

1-1 By: Murr (Senate Sponsor - Springer) H.B. No. 222  
1-2 (In the Senate - Received from the House April 19, 2021;  
1-3 May 13, 2021, read first time and referred to Committee on  
1-4 Jurisprudence; May 21, 2021, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; May 21, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			

1-13 A BILL TO BE ENTITLED  
1-14 AN ACT

1-15 relating to liability of burn bosses in connection with certain  
1-16 prescribed burns.

1-17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-18 SECTION 1. Subchapter C, Chapter 153, Natural Resources  
1-19 Code, is amended by adding Section 153.084 to read as follows:

1-20 Sec. 153.084. LIMITATION OF BURN BOSS LIABILITY. (a) In  
1-21 this section, "burn boss" has the meaning assigned by Section  
1-22 153.083.

1-23 (b) Except as provided by Subsection (c), a burn boss is not  
1-24 liable for property damage, personal injury, or death caused by or  
1-25 resulting from the burn in excess of the insurance requirements  
1-26 established by the board for certified and insured prescribed burn  
1-27 managers under Section 153.046 if the burn boss:

1-28 (1) has completed an accredited prescribed burning  
1-29 training course approved by the board;

1-30 (2) has satisfied the minimum experience requirements  
1-31 prescribed by the board; and

1-32 (3) has liability insurance coverage equal to or in  
1-33 excess of the amounts provided by Section 153.082(1).

1-34 (c) This section does not apply to a burn boss who commits  
1-35 gross negligence or intentionally causes property damage, personal  
1-36 injury, or death.

1-37 SECTION 2. Section 153.084, Natural Resources Code, as  
1-38 added by this Act, applies only to a cause of action that accrues on  
1-39 or after the effective date of this Act.

1-40 SECTION 3. This Act takes effect September 1, 2021.

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