

By: Ashby

H.B. No. 4609

A BILL TO BE ENTITLED

AN ACT

relating to a study by the Texas A&M Forest Service of the potential effects of wildfires in this state.

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

SECTION 1. DEFINITIONS. In this Act:

(1) "Fuel loading" means the amount of combustible material in a defined space expressed quantitatively in terms of weight of fuel per unit area.

(2) "Service" means the Texas A&M Forest Service.

SECTION 2. STUDY. (a) The service shall conduct a study to determine the status and condition of fuel loading in wildfire risk zones in this state and the corresponding risk of wildfire to the residents, homes, businesses, and ecology of this state.

(b) In conducting the study, the service shall:

(1) establish wildfire risk zones based on fuel loading and the risk of wildfire to the residents, homes, businesses, and ecology of this state within geographic areas defined by the service; and

(2) solicit and consider information from:

(A) the Department of Public Safety;

(B) the Department of Agriculture, including the Prescribed Burning Board;

(C) the Texas Division of Emergency Management;

(D) the Parks and Wildlife Department;

- 1 (E) the Texas Commission on Environmental
2 Quality;
- 3 (F) the State Soil and Water Conservation Board;
- 4 (G) the comptroller of public accounts; and
- 5 (H) other natural resource representatives as
6 necessary.

7 (c) The study must:

8 (1) for each wildfire risk zone established under
9 Subsection (b)(1) of this section, consider:

10 (A) the risk that fuel loading poses;

11 (B) the projected loss of life, property, and
12 natural resources should a wildfire occur in the zone;

13 (C) the financial impact of costs associated
14 with:

15 (i) reconstruction in the zone after a
16 wildfire;

17 (ii) potential loss of production in the
18 natural resource and agricultural industries in the zone after a
19 wildfire; and

20 (iii) fuel loading mitigation and asset
21 hardening in the zone; and

22 (D) whether the money invested in fuel loading
23 mitigation in the zone exceeds or is less than the value of property
24 protected by the investment and the amount of the excess or
25 shortage;

26 (2) assess the overall economic benefits to this state
27 of:

- 1 (A) prescribed burning;
- 2 (B) fuel loading control for wildfire
3 prevention; and
- 4 (C) public investment in fuel loading reduction
5 projects; and
- 6 (3) recommend changes to existing law to ensure that
7 public and private natural resource managers have the authority and
8 ability to appropriately mitigate fuel loading risks in each
9 established risk zone.

10 SECTION 3. REPORT. Not later than December 1, 2024, the
11 service shall submit to the governor, the lieutenant governor, the
12 speaker of the house of representatives, and each standing
13 committee of the legislature with primary jurisdiction over the
14 service or another state agency from which information is solicited
15 under this Act a written report that includes a summary of the study
16 and any legislative recommendations based on the study.

17 SECTION 4. EXPIRATION. This Act expires May 1, 2025.

18 SECTION 5. EFFECTIVE DATE. This Act takes effect
19 immediately if it receives a vote of two-thirds of all the members
20 elected to each house, as provided by Section 39, Article III, Texas
21 Constitution. If this Act does not receive the vote necessary for
22 immediate effect, this Act takes effect September 1, 2023.