

1-1 By: Ashby (Senate Sponsor - Kolthorst) H.B. No. 4609
 1-2 (In the Senate - Received from the House May 3, 2023;
 1-3 May 5, 2023, read first time and referred to Committee on Water,
 1-4 Agriculture & Rural Affairs; May 19, 2023, reported favorably by
 1-5 the following vote: Yeas 9, Nays 0; May 19, 2023, 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	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to a study by the Texas A&M Forest Service of the potential
 1-20 effects of wildfires in this state.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. DEFINITIONS. In this Act:

1-23 (1) "Fuel loading" means the amount of combustible
 1-24 material in a defined space expressed quantitatively in terms of
 1-25 weight of fuel per unit area.

1-26 (2) "Service" means the Texas A&M Forest Service.

1-27 SECTION 2. STUDY. (a) The service shall conduct a study to
 1-28 determine the status and condition of fuel loading in wildfire risk
 1-29 zones in this state and the corresponding risk of wildfire to the
 1-30 residents, homes, businesses, and ecology of this state.

1-31 (b) In conducting the study, the service shall:

1-32 (1) establish wildfire risk zones based on fuel
 1-33 loading and the risk of wildfire to the residents, homes,
 1-34 businesses, and ecology of this state within geographic areas
 1-35 defined by the service; and

1-36 (2) solicit and consider information from:

1-37 (A) the Department of Public Safety;

1-38 (B) the Department of Agriculture, including the
 1-39 Prescribed Burning Board;

1-40 (C) the Texas Division of Emergency Management;

1-41 (D) the Parks and Wildlife Department;

1-42 (E) the Texas Commission on Environmental
 1-43 Quality;

1-44 (F) the State Soil and Water Conservation Board;

1-45 (G) the comptroller of public accounts; and

1-46 (H) other natural resource representatives as
 1-47 necessary.

1-48 (c) The study must:

1-49 (1) for each wildfire risk zone established under
 1-50 Subsection (b)(1) of this section, consider:

1-51 (A) the risk that fuel loading poses;

1-52 (B) the projected loss of life, property, and
 1-53 natural resources should a wildfire occur in the zone;

1-54 (C) the financial impact of costs associated
 1-55 with:

1-56 (i) reconstruction in the zone after a
 1-57 wildfire;

1-58 (ii) potential loss of production in the
 1-59 natural resource and agricultural industries in the zone after a
 1-60 wildfire; and

1-61 (iii) fuel loading mitigation and asset

2-1 hardening in the zone; and
 2-2 (D) whether the money invested in fuel loading
 2-3 mitigation in the zone exceeds or is less than the value of property
 2-4 protected by the investment and the amount of the excess or
 2-5 shortage;
 2-6 (2) assess the overall economic benefits to this state
 2-7 of:
 2-8 (A) prescribed burning;
 2-9 (B) fuel loading control for wildfire
 2-10 prevention; and
 2-11 (C) public investment in fuel loading reduction
 2-12 projects; and
 2-13 (3) recommend changes to existing law to ensure that
 2-14 public and private natural resource managers have the authority and
 2-15 ability to appropriately mitigate fuel loading risks in each
 2-16 established risk zone.

2-17 SECTION 3. REPORT. Not later than December 1, 2024, the
 2-18 service shall submit to the governor, the lieutenant governor, the
 2-19 speaker of the house of representatives, and each standing
 2-20 committee of the legislature with primary jurisdiction over the
 2-21 service or another state agency from which information is solicited
 2-22 under this Act a written report that includes a summary of the study
 2-23 and any legislative recommendations based on the study.

2-24 SECTION 4. EXPIRATION. This Act expires May 1, 2025.

2-25 SECTION 5. EFFECTIVE DATE. This Act takes effect
 2-26 immediately if it receives a vote of two-thirds of all the members
 2-27 elected to each house, as provided by Section 39, Article III, Texas
 2-28 Constitution. If this Act does not receive the vote necessary for
 2-29 immediate effect, this Act takes effect September 1, 2023.

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