

## **BILL ANALYSIS**

S.B. 702  
By: Hegar  
Agriculture & Livestock  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that the law governing prescribed burning needs to be updated to consistently apply minimum insurance requirements to prescribed burn managers. The parties point out that certain parts of the law as currently written could be misinterpreted by the Prescribed Burning Board, prescribed burn managers, or both. S.B. 702 seeks to ensure consistency and clarify legislative intent by amending current law relating to certified and insured prescribed burn managers.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 702 amends the Natural Resources Code, in provisions requiring the Prescribed Burning Board to establish minimum insurance requirements for certified and insured prescribed burn managers, to require the board, not later than November 1, 2013, to establish insurance requirements for the managers in amounts not less than those required by statutory provisions relating to limitations on liability for prescribed burning. The bill makes statutory provisions relating to certification of prescribed burn managers relate instead to certified and insured prescribed burn managers. The bill adds to the requirements for certification as a certified and insured prescribed burn manager that the person meets the insurance requirements established by the board under the bill's provisions.

S.B. 702 amends the Local Government Code, in provisions making outdoor burning regulations inapplicable to certain outdoor burning activities, to make the regulations inapplicable to outdoor burning activities that are conducted by a certified and insured prescribed burn manager meeting the applicable requirements of law.

### **EFFECTIVE DATE**

September 1, 2013.