

AN ACT

relating to certified and insured prescribed burn managers.

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

SECTION 1. Section 153.046, Natural Resources Code, is amended to read as follows:

Sec. 153.046. DUTIES. The board shall:

(1) establish standards for prescribed burning;

(2) develop a comprehensive training curriculum for certified and insured prescribed burn managers;

(3) establish standards for certification, recertification, and training for certified and insured prescribed burn managers;

(4) establish minimum education and professional requirements for instructors for the approved curriculum; and

(5) establish ~~minimum~~ insurance requirements for certified and insured prescribed burn managers in amounts not less than those required by Section 153.082.

SECTION 2. The heading to Section 153.048, Natural Resources Code, is amended to read as follows:

Sec. 153.048. CERTIFIED AND INSURED [~~CERTIFICATION OF~~] PRESCRIBED BURN MANAGERS.

SECTION 3. Subsections (a) and (b), Section 153.048, Natural Resources Code, are amended to read as follows:

(a) Minimum standards established by the board for

1 certification as a certified and insured prescribed burn manager  
2 must require the completion of the approved training curriculum to  
3 be developed and promulgated by the board and taught by an approved  
4 instructor.

5 (b) The board shall certify a person as a certified and  
6 insured prescribed burn manager if the person:

7 (1) applies to the board for certification;

8 (2) demonstrates completion of an approved training  
9 program by an approved instructor; ~~and~~

10 (3) pays a fee to the board in an amount determined by  
11 the board; and

12 (4) meets the insurance requirements established by  
13 the board under Section 153.046.

14 SECTION 4. Subsection (f), Section 352.081, Local  
15 Government Code, is amended to read as follows:

16 (f) This section does not apply to outdoor burning  
17 activities:

18 (1) related to public health and safety that are  
19 authorized by the Texas ~~[Natural Resource Conservation]~~ Commission  
20 on Environmental Quality for:

21 (A) firefighter training;

22 (B) public utility, natural gas pipeline, or  
23 mining operations; or

24 (C) planting or harvesting of agriculture crops;

25 or

26 (2) that are conducted by a certified and insured  
27 prescribed burn manager certified under Section 153.048, Natural

1 Resources Code, and meet the standards of Section 153.047, Natural  
2 Resources Code.

3 SECTION 5. Not later than November 1, 2013, the Prescribed  
4 Burning Board shall establish insurance requirements under Section  
5 153.046, Natural Resources Code, as amended by this Act.

6 SECTION 6. This Act takes effect September 1, 2013.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 702 passed the Senate on  
March 13, 2013, by the following vote: Yeas 31, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 702 passed the House on  
May 17, 2013, by the following vote: Yeas 131, Nays 3, two  
present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor