

BILL ANALYSIS

H.B. 1837
By: Springer
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that occasionally people start controlled fires without notifying any authority. The parties contend that this situation may result in needless response by firefighters and wasting resources. H.B. 1837 seeks to address this issue by providing for an outdoor burning notification to a local governmental entity.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill expressly does one or more of the following: creates a criminal offense, increases the punishment for an existing criminal offense or category of offenses, or changes the eligibility of a person for community supervision, parole, or mandatory supervision.

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

H.B. 1837 amends the Local Government Code to authorize the commissioners court of a county by order to require a person to notify a local governmental entity, as specified by the commissioners court, before starting an outdoor fire in the county but establishes that such authorization does not authorize a commissioners court to require a person to take any action other than to provide a single notice to the appropriate local governmental entity. The bill creates a Class C misdemeanor offense for a person who knowingly or intentionally violates such an order. The bill specifies that "outdoor fire" does not include a campfire started at a campsite; a fire used to cook food on a grill or in a pit; a fire started in an enclosed outdoor fireplace or oven, including a chimenea; or a fire used to burn trash in an enclosed container.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.