

By: Springer

H.B. No. 1837

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of counties to require a person to notify
3 a local governmental entity before starting an outdoor fire;
4 creating a criminal penalty.

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

6 SECTION 1. Subchapter D, Chapter 352, Local Government
7 Code, is amended by adding Section 352.083 to read as follows:

8 Sec. 352.083. NOTIFICATION OF OUTDOOR BURNING. (a) The
9 commissioners court of a county by order may require a person to
10 notify a local governmental entity, as specified by the
11 commissioners court, before starting an outdoor fire in the county.
12 This subsection does not authorize a commissioners court to require
13 a person to take any action other than to provide a single notice to
14 the appropriate local governmental entity. In this section,
15 "outdoor fire" does not include:

16 (1) a campfire started at a campsite;

17 (2) a fire used to cook food on a grill or in a pit;

18 (3) a fire started in an enclosed outdoor fireplace or
19 oven, including a chimenea; or

20 (4) a fire used to burn trash in an enclosed container.

21 (b) A person commits an offense if the person knowingly or
22 intentionally violates an order adopted under Subsection (a). An
23 offense under this subsection is a Class C misdemeanor.

24 SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2017.