86R2985 SCL-D

By:  Murr H.B. No. 4374

A BILL TO BE ENTITLED

AN ACT

relating to liability of prescribed burn directors in connection with prescribed burns.

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

SECTION 1.  Subchapter C, Chapter 153, Natural Resources Code, is amended by adding Section 153.083 to read as follows:

Sec. 153.083.  LIMITATION OF PRESCRIBED BURN DIRECTOR LIABILITY. (a) Except as provided by Subsection (b), an individual directing a prescribed burn is not liable for property damage, personal injury, or death caused by or resulting from the burn in excess of the insurance requirements established by the board under Section 153.046 if the individual has:

(1)  completed an accredited prescribed burning training course approved by the board; and

(2)  satisfied the experience requirements prescribed by the board.

(b)  This section does not apply to an individual who commits gross negligence or intentionally causes property damage, personal injury, or death.

SECTION 2.  Section 153.083, Natural Resources Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2019.