

By: Murr

H.B. No. 4374

A BILL TO BE ENTITLED

AN ACT

1
2 relating to liability of prescribed burn directors in connection
3 with prescribed burns.

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

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

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

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

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

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

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

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