

By: Murr

H.B. No. 222

Substitute the following for H.B. No. 222:

By: Bailes

C.S.H.B. No. 222

A BILL TO BE ENTITLED

AN ACT

1
2 relating to liability of burn bosses in connection with certain
3 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 153.084 to read as follows:

7 Sec. 153.084. LIMITATION OF BURN BOSS LIABILITY. (a) In
8 this section, "burn boss" has the meaning assigned by Section
9 153.083.

10 (b) Except as provided by Subsection (c), a burn boss is not
11 liable for property damage, personal injury, or death caused by or
12 resulting from the burn in excess of the insurance requirements
13 established by the board for certified and insured prescribed burn
14 managers under Section 153.046 if the burn boss:

15 (1) has completed an accredited prescribed burning
16 training course approved by the board;

17 (2) has satisfied the minimum experience requirements
18 prescribed by the board; and

19 (3) has liability insurance coverage equal to or in
20 excess of the amounts provided by Section 153.082(1).

21 (c) This section does not apply to a burn boss who commits
22 gross negligence or intentionally causes property damage, personal
23 injury, or death.

24 SECTION 2. Section 153.084, Natural Resources Code, as

1 added by this Act, applies only to a cause of action that accrues on
2 or after the effective date of this Act.

3 SECTION 3. This Act takes effect September 1, 2021.