

## **BILL ANALYSIS**

Senate Research Center  
88R3031 ANG-F

H.B. 4609  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Texas is at risk of wildfires due to fuel loading, which refers to the amount of combustible material in a defined space. Wildfires can cause significant damage to the residents, homes, businesses, and ecology of the state. There is a need to study the potential effects of wildfires in Texas and assess the overall economic benefits of fuel loading control and public investment in fuel loading reduction projects.

H.B. 4609 seeks to address the issue of the potential risk of wildfires in Texas, specifically in areas with high fuel loading, by requiring the Texas A&M Forest Service to conduct a study to determine the status and condition of fuel loading in wildfire risk zones in Texas and the corresponding risk of wildfire to the residents, homes, businesses, and ecology of the state. The findings of this study will help develop effective, evidence-based policies to mitigate wildfire risks across the state.

#### Key Provisions:

- Charges Texas A&M Forest Service with conducting a study on the potential effects of wildfires in Texas
- Study must:
  - o Consider the establishment of wildfire risk zones;
  - o Assess individual risk of each wildfire zone including financial impact and projected loss of life, property, and natural resources;
  - o Consider information from the Department of Public Safety of the State of Texas, Texas Department of Agriculture (including the Prescribed Burning Board), Texas Division of Emergency Management, Texas Parks and Wildlife Department, Texas Commission on Environmental Quality, Texas State Soil and Water Conservation Board, Comptroller of Public Accounts of the State of Texas, and other natural resource representatives as necessary;
  - o Assess the overall economic benefits to the state; and
  - o Recommend changes to existing law to ensure that public and private natural resource managers have the authority and ability to appropriately mitigate fuel loading risks in each zone.

H.B. 4609 amends current law relating to a study by the Texas A&M Forest Service of the potential effects of wildfires in this state.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. DEFINITIONS. Defines "fuel loading" and "service."

SECTION 2. STUDY. (a) Requires the Texas A&M Forest Service (service) to conduct a study to determine the status and condition of fuel loading in wildfire risk zones in this state and the corresponding risk of wildfire to the residents, homes, businesses, and ecology of this state.

(b) Requires the service, in conducting the study, to:

(1) establish wildfire risk zones based on fuel loading and the risk of wildfire to the residents, homes, businesses, and ecology of this state within geographic areas defined by the service; and

(2) solicit and consider information from:

(A) the Department of Public Safety of the State of Texas;

(B) the Texas Department of Agriculture, including the Prescribed Burning Board;

(C) the Texas Division of Emergency Management;

(D) the Texas Parks and Wildlife Department;

(E) the Texas Commission on Environmental Quality;

(F) the State Soil and Water Conservation Board;

(G) the Comptroller of Public Accounts of the State of Texas; and

(H) other natural resource representatives as necessary.

(c) Requires that the study:

(1) for each wildfire risk zone established under Subsection (b)(1) of this section, consider:

(A) the risk that fuel loading poses;

(B) the projected loss of life, property, and natural resources should a wildfire occur in the zone;

(C) the financial impact of costs associated with:

(i) reconstruction in the zone after a wildfire;

(ii) potential loss of production in the natural resource and agricultural industries in the zone after a wildfire; and

(iii) fuel loading mitigation and asset hardening in the zone; and

(D) whether the money invested in fuel loading mitigation in the zone exceeds or is less than the value of property protected by the investment and the amount of the excess or shortage;

(2) assess the overall economic benefits to this state of:

(A) prescribed burning;

(B) fuel loading control for wildfire prevention; and

(C) public investment in fuel loading reduction projects; and

(3) recommend changes to existing law to ensure that public and private natural resource managers have the authority and ability to appropriately mitigate fuel loading risks in each established risk zone.

SECTION 3. REPORT. Requires the service, not later than December 1, 2024, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over the service or another state agency from which information is solicited under this Act a written report that includes a summary of the study and any legislative recommendations based on the study.

SECTION 4. EXPIRATION. Provides that this Act expires May 1, 2025.

SECTION 5. EFFECTIVE DATE. Effective date: upon passage or September 1, 2023.