

BILL ANALYSIS

H.B. 4609
By: Ashby
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 4609 requires 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 bill defines "fuel loading" as the amount of combustible material in a defined space expressed quantitatively in terms of weight of fuel per unit area. The bill requires the service to do the following in conducting the study:

- establish wildfire risk zones based on fuel loading and the risk of wildfire to the residents, homes, businesses, and ecology of the state within geographic areas defined by the service; and
- solicit and consider information from the following:
 - the Department of Public Safety;
 - the Department of Agriculture, including the Prescribed Burning Board;
 - the Texas Division of Emergency Management;
 - the Parks and Wildlife Department;
 - the Texas Commission on Environmental Quality;
 - the Texas State Soil and Water Conservation Board;
 - the comptroller of public accounts; and
 - other natural resource representatives as necessary.

H.B. 4609 requires the study to do the following:

- for each wildfire risk zone, consider the following:

- the risk that fuel loading poses;
- the projected loss of life, property, and natural resources should a wildfire occur in the zone;
- the financial impact of costs associated with the following:
 - reconstruction in the zone after a wildfire;
 - potential loss of production in the natural resource and agricultural industries in the zone after a wildfire; and
 - fuel loading mitigation and asset hardening in the zone; and
- 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;
- assess the overall economic benefits to the state of the following:
 - prescribed burning;
 - fuel loading control for wildfire prevention; and
 - public investment in fuel loading reduction projects; and
- 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 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 the bill's provisions a written report that includes a summary of the study and any legislative recommendations based on the study. The bill's provisions expire May 1, 2025.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.