H.B. No. 162

AN ACT

relating to minimum standards for prescribed burns.

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

SECTION 1.  Section 153.047, Natural Resources Code, is amended to read as follows:

Sec. 153.047.  PRESCRIBED BURNING STANDARDS. Minimum standards established by the board for prescribed burning must:

(1)  ensure that prescribed burning is the controlled application of fire to naturally occurring or naturalized vegetative fuels under specified environmental conditions in accordance with a written prescription plan:

(A)  designed to confine the fire to a predetermined area and to accomplish planned land management objectives; and

(B)  that conforms to the standards established under this section;

(2)  if the prescription plan lists a certified and insured prescribed burn manager as the burn boss, require that the burn boss be [~~at least one certified and insured prescribed burn manager is~~] present on site during the conduct of the prescribed burn;

(3)  establish appropriate guidelines for size of burning crews sufficient to:

(A)  conduct the burn in accordance with the prescription plan; and

(B)  provide adequate protection for the safety of persons and of adjacent property;

(4)  include standards for notification to adjacent land owners, the Texas Commission on Environmental Quality, and local fire authorities; and

(5)  include minimum insurance requirements for certified and insured prescribed burn managers.

SECTION 2.  This Act takes effect September 1, 2023.

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    President of the Senate Speaker of the House

I certify that H.B. No. 162 was passed by the House on April 6, 2023, by the following vote:  Yeas 147, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 162 was passed by the Senate on May 16, 2023, by the following vote:  Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                    Date

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                  Governor