

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

1 prescription plan; and

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

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

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

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

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.

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.

Secretary of the Senate

APPROVED: _____

Date

Governor