

1-1 By: Murr, Kitzman (Senate Sponsor - Zaffirini) H.B. No. 162  
 1-2 (In the Senate - Received from the House April 6, 2023;  
 1-3 May 2, 2023, read first time and referred to Committee on Water,  
 1-4 Agriculture & Rural Affairs; May 12, 2023, reported favorably by  
 1-5 the following vote: Yeas 8, Nays 0; May 12, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to minimum standards for prescribed burns.  
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-21 SECTION 1. Section 153.047, Natural Resources Code, is  
 1-22 amended to read as follows:  
 1-23 Sec. 153.047. PRESCRIBED BURNING STANDARDS. Minimum  
 1-24 standards established by the board for prescribed burning must:  
 1-25 (1) ensure that prescribed burning is the controlled  
 1-26 application of fire to naturally occurring or naturalized  
 1-27 vegetative fuels under specified environmental conditions in  
 1-28 accordance with a written prescription plan:  
 1-29 (A) designed to confine the fire to a  
 1-30 predetermined area and to accomplish planned land management  
 1-31 objectives; and  
 1-32 (B) that conforms to the standards established  
 1-33 under this section;  
 1-34 (2) if the prescription plan lists a certified and  
 1-35 insured prescribed burn manager as the burn boss, require that the  
 1-36 burn boss be [at least one certified and insured prescribed burn  
 1-37 manager is] present on site during the conduct of the prescribed  
 1-38 burn;  
 1-39 (3) establish appropriate guidelines for size of  
 1-40 burning crews sufficient to:  
 1-41 (A) conduct the burn in accordance with the  
 1-42 prescription plan; and  
 1-43 (B) provide adequate protection for the safety of  
 1-44 persons and of adjacent property;  
 1-45 (4) include standards for notification to adjacent  
 1-46 land owners, the Texas Commission on Environmental Quality, and  
 1-47 local fire authorities; and  
 1-48 (5) include minimum insurance requirements for  
 1-49 certified and insured prescribed burn managers.  
 1-50 SECTION 2. This Act takes effect September 1, 2023.

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