

BILL ANALYSIS

Senate Research Center
77R10848 PAM-D

H.B. 3315
By: Ramsay (Bernsen)
Natural Resources
5/9/2001
Engrossed

DIGEST AND PURPOSE

Under current law, the commissioners court of a county is authorized to prohibit certain outdoor burning activities in areas where drought conditions exist if it is to the benefit of the public. The law provides exceptions from the burn ban, but activities relating to planting agriculture crops are not currently exempt. H.B. 3315 provides that such activities are exempt from the burn ban, and requires the Prescribed Burning Board to adopt standards and procedures regarding outdoor burning.

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. Amends Section 240.906(f), Local Government Code, as added by Chapter 1435, Acts of the 76th Legislature, Regular Session, 1999, to add language to provide that this section does not apply to outdoor burning activities related to public health and safety that are authorized by the Texas Natural Resource Conservation Commission for planting or harvesting of agricultural crops or conducting prescribed burning under standards established under Section 153.047 (Prescribed Burning Standards), Natural Resources Code, and does not apply to activities that are conducted in compliance with standards and procedures adopted by the Prescribed Burning Board under Section 153.049, Natural Resources Code, for exemptions under this section.

SECTION 2. Amends Chapter 153B, Natural Resources Code, by adding Section 153.049, as follows:

Sec. 153.049. OUTDOOR BURNING STANDARDS FOR COUNTIES. Requires the Prescribed Burning Board (board) to adopt standards and procedures governing outdoor burning activities that are exempt from county regulation under Section 240.906(f) (relating to the regulation of outdoor burning), Local Government Code, as added by Chapter 1435, Acts of the 76th Legislature, Regular Session, 1999.

SECTION 3. Requires the board to adopt the standards and procedures required by Section 153.049, Natural Resources Code, as added by this Act, before December 1, 2001.

SECTION 4. (a) Effective date: upon passage or September 1, 2001, except as provided by Subsection (b) of this section.

(b) Provides that SECTION 1 of this Act takes effect December 1, 2001.