

BILL ANALYSIS

C.S.H.B. 4395
By: Murr
Agriculture & Livestock
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Within Texas, there are organizations that participate in certain prescribed burn activities. In common practice, prescribed burns are executed by a person who is named as "burn boss" on a written burn plan. It has been suggested that clarity is needed regarding the role and scope of liability for those who participate in prescribed burn activities. C.S.H.B. 4395 seeks to address this issue by repealing the authorization for members of a prescribed burning organization to conduct a prescribed burn.

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

C.S.H.B. 4395 repeals the authorization for members of a prescribed burning organization to conduct a prescribed burn and amends the Local Government Code and the Natural Resources Code to make conforming changes.

C.S.H.B. 4395 repeals the following provisions of the Natural Resources Code:

- Section 153.001(3)
- Section 153.049

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4395 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.