

SUBJECT: Amending minimum standards for prescribed burns

COMMITTEE: Agriculture & Livestock — favorable, without amendment

VOTE: 8 ayes — Cain, Anderson, Bernal, Goodwin, Kitzman, Rosenthal, Thimesch, Wilson

0 nays

1 absent — Harris

WITNESSES: For — Chuck Linton, Prescribed Burn Alliance of Texas; Ray Hinnant; Mort Kothmann (*Registered, but did not testify*: Kevin Hale, Libertarian Party of Texas; Charles Maley, South Texans' Property Rights Association; Blake Roach, Texas Farm Bureau)

Against — None

On — Patrick Dudley, Texas Department of Agriculture

DIGEST: HB 162 would amend the minimum standards for a prescribed burn. The bill would remove the requirement that at least one Certified and Insured Prescribed Burn Manager (CIPBM) be present on site during a prescribed burn. The bill would require that, if the prescription plan listed a CIPBM as the burn boss, the burn boss would be required to be present on site during the prescribed burn.

The bill would take effect September 1, 2023.

SUPPORTERS SAY: By revising the minimum standards for prescribed burns, HB 162 would ensure that the CIPBM designated as the burn boss was the person present on site during a prescribed burn. Currently, many CIPBMs hired by landowners to conduct a prescribed burn send a manager to conduct the burn in their place. Under the bill, CIPBMs who were listed in the prescribed burn plan as the burn boss could not send someone to oversee the burn in place of the CIPBM.

The bill also would clarify that a landowner could act as their own burn boss. There are few CIPBMs in Texas, often making them more difficult to utilize as burn bosses. Under the bill, if a CIPBM was not listed as the burn boss in the prescription plan, then the landowner would not need one present.

**CRITICS
SAY:**

The bill could allow a prescribed burn to be conducted by a burn boss who had limited training or experience without a CIPBM present.