

AN ACT

relating to liability of burn bosses in connection with certain prescribed burns.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 153, Natural Resources Code, is amended by adding Section 153.084 to read as follows:

Sec. 153.084. LIMITATION OF BURN BOSS LIABILITY. (a) In this section, "burn boss" has the meaning assigned by Section 153.083.

(b) Except as provided by Subsection (c), a burn boss is not liable for property damage, personal injury, or death caused by or resulting from the burn in excess of the insurance requirements established by the board for certified and insured prescribed burn managers under Section 153.046 if the burn boss:

(1) has completed an accredited prescribed burning training course approved by the board;

(2) has satisfied the minimum experience requirements prescribed by the board; and

(3) has liability insurance coverage equal to or in excess of the amounts provided by Section 153.082(1).

(c) This section does not apply to a burn boss who commits gross negligence or intentionally causes property damage, personal injury, or death.

SECTION 2. Section 153.084, Natural Resources Code, as added by this Act, applies only to a cause of action that accrues on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 222 was passed by the House on April 16, 2021, by the following vote: Yeas 144, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 222 was passed by the Senate on May 27, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____
Date

Governor