

## Chapter 478

H.B. No. 2386

### AN ACT

relating to volunteer firefighter supervision of outdoor burning of waste consisting of plant growth.

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

SECTION 1. Section 382.018(d), Health and Safety Code, is amended to read as follows:

(d) The commission may not control or prohibit outdoor burning of waste consisting of trees, brush, grass, leaves, branch trimmings, or other plant growth if:

(1) the person burning the waste is doing so at a site:

(A) designated for consolidated burning of waste generated from specific residential properties;

(B) located in a county with a population of less than 50,000;

(C) located outside of a municipality; and

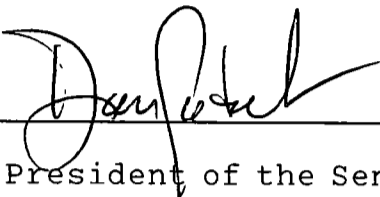
(D) supervised at the time of the burning by:

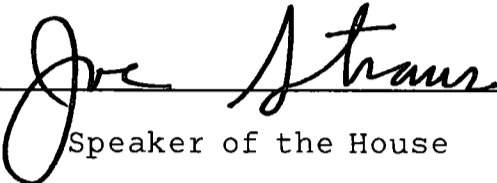
(i) an employee of a fire department who is part of the fire protection personnel, as defined by Section 419.021, Government Code, of the department and is acting in the scope of the person's employment; or

(ii) a volunteer firefighter acting in the scope of the firefighter's volunteer duties; and

(2) the waste was generated from a property for which the site is designated.

1 SECTION 2. This Act takes effect September 1, 2017.

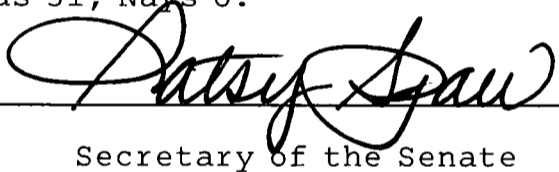
  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 2386 was passed by the House on April 20, 2017, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

  
\_\_\_\_\_  
Chief Clerk of the House


I certify that H.B. No. 2386 was passed by the Senate on May 24, 2017, by the following vote: Yeas 31, Nays 0.

  
\_\_\_\_\_  
Secretary of the Senate

APPROVED: 6-7-2017  
Date

  
\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7:00 PM O'CLOCK

JUN 09 2017  
  
\_\_\_\_\_  
Secretary of State

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 8, 2017**

**TO:** Honorable Craig Estes, Chair, Senate Committee on Natural Resources & Economic Development

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** HB2386 by Bailes (Relating to volunteer firefighter supervision of outdoor burning of waste consisting of plant growth.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code to allow a volunteer firefighter, acting within the scope of their duties, to fulfill the requirement for providing supervision of the burning of waste consisting of trees, brush, grass, leaves, branch trimmings, or other plant growth at a site that is designated for consolidating burning of waste generated from specific residential properties; located in a county with a population of less than 50,000; and located outside of a municipality.

The Texas Commission on Environmental Quality (TCEQ) estimates that implementing the provisions of this bill can be accomplished using existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 582 Commission on Environmental Quality

**LBB Staff:** UP, SZ, MW, MSO

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 25, 2017**

**TO:** Honorable Joseph Pickett, Chair, House Committee on Environmental Regulation

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB2386** by Bailes (Relating to volunteer firefighter supervision of outdoor burning of waste consisting of plant growth.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code to allow a volunteer firefighter, acting within the scope of their duties, to fulfill the requirement for providing supervision of the burning of waste consisting of trees, brush, grass, leaves, branch trimmings, or other plant growth at a site that is designated for consolidating burning of waste generated from specific residential properties; located in a county with a population of less than 50,000; and located outside of a municipality.

The Texas Commission on Environmental Quality (TCEQ) estimates that implementing the provisions of this bill can be accomplished using existing resources.

**Local Government Impact**

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**Source Agencies:** 582 Commission on Environmental Quality

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