



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

NOTICE OF BILL RETURNED TO RULES COMMITTEE

March 5, 2018

Mr. Speaker,

The Judiciary Committee has returned **H.B. 466, WILDLAND FIRE LIABILITY AMENDMENTS**, by Representative M. K. McKell to the Rules Committee and with the following amendments:

1. *Page 1, Line 12 through 18:*

- 12 ▶ states that a person who negligently, recklessly, or intentionally causes a
wildland
13 fire shall be liable for damages and the cost of suppressing the fire;
14 ▶ states that a person that negligently, recklessly, or intentionally causes a
wildland fire through the operation, maintenance,
15 or use of any instrumentality of the person's shall be liable for all damages resulting
16 from the wildland fire;
17 ▶ states that a person or a property owner who suffers damage from a
wildland fire may bring an
18 action to recover damages, costs, and reasonable attorney fees;

2. *Page 2, Line 41 through 49:*

- 41 (2) (a) The conduct described in Subsection (1) includes any negligent, reckless, or
42 intentional conduct, and is not limited to conduct described in Section 65A-3-2.
43 (b) { Notwithstanding Subsection (1) or (2)(a) or any provision of Title 63G,
Chapter 7,
44 Governmental Immunity Act of Utah, } when a person negligently, recklessly, or

Bill Number



HB0466

Action Class



H

Action Code



HCRRULAMD

- intentionally causes a wildland fire through the
45 operation, maintenance, or use of any instrumentality of the person, the person shall be
liable
46 for all damages resulting from the wildland fire, including the cost of suppression.
47 (3) (a) [~~A person who incurs~~] A person or a property owner who suffers
damage from a wildland
48 fire, including incurring costs to suppress a wildland fire, may bring an action under
this section to
49 recover [~~those costs~~] damages resulting from the fire and attorney fees.

Respectfully,

Michael K. McKell
Chair

5 HB0466.HC1.wpd 3/6/18 11:51 am jwade/JTW RF/AJS

Bill Number



HB0466

Action Class



H

Action Code



HCRRULAMD