



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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January 30, 2023

Mr. Speaker,

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 261**, FIRE RELATED AMENDMENTS, by Representative C. Snider, with the following amendments:

1. *Page 7, Line 198 through Page 8, Line 229:*

198 [~~(2)~~] (3) During the closed fire season [~~it is~~], an individual is guilty of a class {~~B~~
-} C
199 misdemeanor [~~to set~~] if the individual sets on fire, or [~~cause~~] causes to be set on fire[~~, any~~
200 ~~flammable material on any~~];
201 (a) (i) a forest[~~;~~];
202 (ii) brush[~~;~~];
203 (iii) range[~~, grass, grain, stubble, or hay land~~];
204 (iv) a field;
205 (v) cultivated land; or
206 (vi) a debris pile; and
207 (b) without:
208 [~~(a)~~] (i) first securing a written permit from the state forester or a [~~designated~~]
deputy
209 designated by the state forester; [~~and~~]
210 [~~(b)~~] (ii) complying fully with [~~the terms and conditions prescribed by~~] the permit[~~;~~]
211 described in Subsection (3)(b)(i); and
212 (iii) first notifying the applicable public safety answering point of the approximate
time
213 the burning will occur.
214 (4) During a period when a Red Flag Warning is issued, an individual is guilty of a
215 class {~~B~~} C misdemeanor if the individual sets on fire, or causes to be set on
fire:

Bill Number



HB0261

Action Class



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- 216 (a) (i) a forest;
- 217 (ii) brush;
- 218 (iii) range;
- 219 (iv) a field;
- 220 (v) cultivated land;
- 221 (vi) a fence line;
- 222 (vii) a canal; or
- 223 (viii) an irrigation ditch; and
- 224 (b) without:
- 225 (i) first securing a written permit from the state forester or a deputy designated by
the
- 226 state forester;
- 227 (ii) complying fully with the permit described in Subsection (4)(b)(i); and
- 228 (iii) first notifying the applicable public safety answering point of the approximate
time
- 229 the burning will occur.

2. Page 9, Lines 245 through 258:

- 245 ~~[(6)]~~ (8) (a) [A] Except for during a Red Flag Warning as described in Subsection
- 246 (4)(a), a burning permit is not required;
- 247 (i) for the burning within 10 feet of:
- 248 (A) fence lines on cultivated lands[;];
- 249 (B) the banks of canals[;]; or
- 250 (C) the banks of irrigation ditches; and
- 251 (ii) if:
- 252 ~~[(i)]~~ (A) the burning does not pose a threat to forest, range, or watershed lands;
- 253 ~~[(ii)]~~ (B) due care is used in the control of the burning; and
- 254 ~~[(iii)]~~ (C) the individual notifies the [nearest fire department] applicable public
safety
- 255 answering point of the approximate time the burning will occur.
- 256 (b) [Failure] For a burning with or without a permit, an individual is guilty of a class
~~{B}~~ C
- 257 misdemeanor if the individual fails to notify the [nearest fire department] applicable
public



H.B. 261

Natural Resources, Agriculture, and Environment Committee Report

January 30, 2023 - Page 3

258 safety answering point of ~~[the]~~ a burning as required by this section [~~is a class B~~
misdemeanor].

Respectfully,

Walt Brooks
Chair

Voting: 13-0-1

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Bill Number



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