

H.B. 261

FIRE RELATED AMENDMENTS

Representative **Keven J. Stratton** proposes 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:
- 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 ~~[(+)]~~ (A) the burning does not pose a threat to forest, range, or watershed lands;

253 ~~[(+)]~~ (B) due care is used in the control of the burning; and

254 ~~[(+)]~~ (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
258 safety answering point of ~~the~~ a burning as required by this section ~~[is a class B misdemeanor].~~