

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 28, Section 44.080, Page 2, Lines 19 - 26,  
2 by deleting all of said Lines and inserting in lieu thereof the following:

3  
4 "(3) Adopt orders or resolutions with penalties as these specifically relate to the actual or  
5 impending occurrence of a natural disaster of major proportions within the county when the safety  
6 and welfare of the inhabitants of such county are jeopardized. Such orders or resolutions may include  
7 the issuance of burn ban orders carrying penalties as specified in subsection 2 of section 44.130 if  
8 there is a Keetch-Byram Drought Index of 625 or more. The violations of such order or resolution  
9 shall be an infraction, except that state agencies responsible for fire management or suppression  
10 activities and persons conducting agricultural burning using best management practices shall not be  
11 subject to the provisions of this subsection. The ability of an individual, organization, or corporation  
12 to sell fireworks shall not be affected by the issuance of a burn ban order."; and

13  
14 FURTHER AMEND said bill, Section 49.266, Page 2, Lines 5 - 23, by deleting all of said Lines and  
15 inserting in lieu thereof the following:

16  
17 "2. The county commission in all counties may, by order, promulgate reasonable regulations  
18 concerning its emergency management functions and operations and conditions controls, as they  
19 specifically relate to the actual occurrence of a natural disaster within the county when the health,  
20 safety or welfare of the inhabitants of such county are threatened by actual or impending  
21 circumstances. The regulations may include the issuance of burn ban orders carrying penalties as  
22 specified in subsection 2 of section 44.130 and monetary fines as established by the county  
23 commission , if there is a Keetch-Byram Drought Index of 625 or more, except that state agencies  
24 responsible for fire management or suppression activities and persons conducting agricultural  
25 burning using best management practices shall not be subject to the provisions of this subsection.  
26 The ability of an individual, organization, or corporation to sell fireworks shall not be affected by the  
27 issuance of a burn ban order."; and

28  
29 Further amend said bill by amending the title, enacting clause, and intersectional references  
30 accordingly.

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Action Taken \_\_\_\_\_ Date \_\_\_\_\_