

HCS HB 1547 -- PRESCRIBED BURN ACT

SPONSOR: Shawan

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Conservation and Natural Resources by a vote of 7 to 0.

The following is a summary of the House Committee Substitute for HB 1547.

This bill creates the "Prescribed Burn Act", which specifies that any landowner, agent of a landowner, or certified burn manager will not be liable for damage, injury, or loss caused by a prescribed burn, as defined in the bill, or the resulting smoke of a prescribed burn conducted at the direction of a certified burn manager in accordance with a burn plan unless the landowner is proven to be negligent. A certified burn manager who is being compensated for conducting a prescribed burn must carry professional liability insurance coverage of no less than \$1 million.

This bill is the same as HB 978 (2019).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that prescribed burning is an important tool for enhancing the state's biodiversity. For a state that leads the nation on conservation efforts, Missouri is one of only five states that does not have statutes relating to prescribed burning and therefore, few insurance companies will issue professional liability insurance to individuals conducting prescribed burns. This bill would limit the liability of those conducting the prescribed burning.

Testifying for the bill were Representative Shawan; Missouri Department of Conservation; Carol Davit, Missouri Prairie Foundation; Clifford Baumer; Holly Neill, The Nature Conservancy; John D. Burk, National Wild Turkey Federation; Scot Mikols; Tyler Schwartze, Conservation Federation of Missouri; Zack Coy, Pure Air Wildlife Management Cooperative; and Zach Morris.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say their organization has concerns about reduced liability if the prescribed burn accidentally gets away from the landowner or agent of a landowner.

Testifying on the bill was the Missouri Cattlemens Association.