

By: King, White (29th), Johnson (19th),
Burton

To: Forestry

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 3148

1 AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS TO PROHIBIT OR
2 RESTRICT OUTDOOR BURNING DURING DROUGHT OR WILDFIRE CONDITIONS; TO
3 PROVIDE THAT THE STATE FORESTRY COMMISSION SHALL DETERMINE IF SUCH
4 DROUGHT OR WILDFIRE CONDITIONS EXISTS; TO PROVIDE PENALTY FOR
5 VIOLATIONS; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 SECTION 1. (1) In this section, "drought or wildfire
8 conditions" means the existence of a deficit of moisture creating
9 severe conditions with increased wildfire occurrences as
10 determined by the State Forestry Commission through use of drought
11 indices or models or the existence of extreme wildfire conditions.

12 (2) If the State Forestry Commission determines that drought
13 or wildfire conditions exist in a county, the commission shall
14 notify the board of supervisors of that county. The commission
15 may recommend that a temporary outdoor burning ban or other
16 restrictions be adopted by the board of supervisors.

17 (3) The board of supervisors may, by order, prohibit or
18 restrict outdoor burning in all or part of the unincorporated
19 parts of the county if drought or wildfire conditions have been
20 determined to exist by the State Forestry Commission. An order
21 must specify the period during which burning is restricted. The
22 State Forestry Commission shall notify the board of supervisors
23 when the drought or wildfire conditions no longer exist. Any
24 order issued under this section shall expire upon the
25 determination that the drought or wildfire conditions no longer
26 exist.

27 (4) Any person who knowingly and willfully violates an order

28 under this section is guilty of a misdemeanor and may be fined not
29 less than One Hundred Dollars (\$100.00) nor more than Five Hundred
30 Dollars (\$500.00).

31 (5) The sheriff of the county shall enforce the order and
32 may cite persons for violations of an order under this section.

33 SECTION 2. This act shall take effect and be in force from
34 and after its passage.