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

SENATE BILL NO. 3148

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

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

7   SECTION 1. (1) In this section, "drought conditions" means

8 the existence of a long-term deficit of moisture creating severe

9 conditions with increased wildfire occurrences as determined by

10 the State Forestry Commission through use of drought indices or

11 models.

12   (2) If the State Forestry Commission determines that drought

13 conditions exist in a county, the commission shall notify the

14 board of supervisors of that county. The commission may recommend

15 that a temporary outdoor burning ban or other restrictions be

16 adopted by the board of supervisors. The State Forestry

17 Commission shall notify the board of supervisors when the drought

18 conditions no longer exist.

19   (3) The board of supervisors may, by order, prohibit or

20 restrict outdoor burning in all or part of the unincorporated

21 parts of the county if drought conditions have been determined to

22 exist by the State Forestry Commission. An order must specify the

23 period during which burning is restricted. Any order issued under

24 this section shall expire upon the determination that the drought

25 conditions no longer exist.

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

27 under this section is guilty of a misdemeanor and may be fined not

28   less than One Hundred Dollars ($100.00) nor more than Five Hundred

29   Dollars ($500.00).

30   (5) The sheriff of the county shall enforce the order and

31   may cite persons for violations of an order under this section.

32   SECTION 2. This act shall take effect and be in force from

33   and after its passage.