

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

To: Forestry

SENATE BILL NO. 3148  
(As Passed the Senate)

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.