

2026 Regular Session

HOUSE BILL NO. 1153

BY REPRESENTATIVE COATES

ENVIRONMENT/ENFORCEMENT: Authorizes parishes and municipalities to declare bans on burning

1 AN ACT

2 To enact R.S. 40:1602.1, relative to outdoor burning; to authorize parishes and  
3 municipalities to declare temporary burn bans during hazardous fire conditions; to  
4 provide for enforcement; to provide for civil penalties; to establish criminal penalties  
5 when violations cause significant property damage or damage to critical  
6 infrastructure; to provide for restitution and recovery of fire suppression costs; and  
7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1602.1 is hereby enacted to read as follows:

10 §1602.1. Authority to declare burn bans; governing authorities; parish and  
11 municipalities

12 A.(1) The governing authority of any parish may declare a temporary ban on  
13 burning within all or any portion of the parish when environmental conditions create  
14 an elevated risk of wildfire or uncontrolled fire spread.

15 (2) A ban on burning may be declared by ordinance, resolution of the parish  
16 governing authority, or emergency proclamation issued by the parish president.

17 (3) The parish shall provide reasonable public notice of a burn ban through  
18 available communication channels including parish websites, social media,  
19 emergency alert systems, or local media outlets.

1           (4) A ban on burning may prohibit open burning, including but not limited  
2           to the following:

3           (a) Burning of yard debris.

4           (b) Land clearing burns.

5           (c) Burning of construction debris.

6           (d) Recreational fires not contained within approved fire pits or enclosures.

7           (5) The provisions of this Section do not apply to the following:

8           (a) Agricultural burning conducted in accordance with state law.

9           (b) Prescribed burns conducted by certified personnel.

10          (c) Cooking fires contained within grills or smokers.

11          (d) Recreational fires contained within approved fire pits or enclosures.

12          B.(1) The governing authority of any municipality may declare a temporary  
13          ban on burning within municipal limits when weather or environmental conditions  
14          create an elevated risk of wildfire or uncontrolled fire spread.

15          (2) Municipal governing authorities may adopt ordinances establishing  
16          procedures for issuing, extending, or terminating bans on burning.

17          (3) Municipal fire chiefs or emergency management officials may  
18          recommend the issuance of a ban on burning based on fire risk conditions.

19          C.(1) Any person who knowingly and intentionally violates a ban on burning  
20          declared pursuant to this Section shall be subject to civil penalties imposed by the  
21          applicable parish or municipality.

22          (2) Civil penalties shall apply as follows:

23          (a) For a first offense, a five hundred dollar fine.

24          (b) For a second offense, a one thousand dollar fine.

25          (c) For a third or subsequent offense, a two thousand five hundred dollar  
26          fine.

27          (3) Each day that a violation occurs constitutes a separate offense.



Proposed law makes exceptions for agricultural burning in accordance with state law, prescribed burns conducted by certified personnel, cooking fires in grills or smokers, and recreational fires that are contained within approved pits or enclosures.

Proposed law authorizes municipal governing authorities to adopt ordinances establishing procedures for issuing, extending, or terminating burn bans, and that municipal fire chiefs may recommend burn bans based on fire risk conditions.

Proposed law provides civil penalties as follows:

- (1) For a first offense, a \$500 fine.
- (2) For a second offense, a \$1,000 fine.
- (3) For a third or subsequent offense, a \$2,500 fine.

Proposed law provides that each day a violation occurs constitutes a separate offense.

Proposed law provides that anyone responsible for a fire resulting from a violation may be liable for costs incurred from fire suppression and emergency response.

Proposed law provides that anyone who knowingly violates a burn ban and the violation results in property damage exceeding \$5,000 is guilty of a misdemeanor punishable by a fine of up to \$1,000 or imprisonment for up to six months, or both.

Proposed law provides that anyone who knowingly violates a burn ban and the violation results in damage to critical infrastructure is guilty of a felony punishable by a fine of up to \$25,000 or imprisonment with or without hard labor for up to five years, or both.

Proposed law provides that in addition to the criminal penalties, an offender is required to pay restitution to the owner of any property damaged by the violation.

Proposed law authorizes fire department personnel and municipal code enforcement officers to enforce the provisions of proposed law.

(Adds R.S. 40:1602.1)