

RÉSUMÉ DIGEST

ACT 931 (HB 1153)

2026 Regular Session

Coates

Existing law authorizes the state fire marshal to issue burn bans in any area of the state.

New law authorizes parish and municipal governing authorities to issue burn bans within all or part of their respective jurisdictions when there is an elevated risk of fire spread.

New law requires the governing authority to lift a ban on burning when the fire risk ceases to be elevated.

New law requires a parish governing authority to publish notice of the ban in the official parish journal. Authorizes a parish to provide additional public notice of a burn ban through websites, social media, emergency alert systems, or local media outlets.

New law provides that a burn ban may prohibit open burning, including burning of yard debris, land-clearing burns, burning of construction debris, and recreational fires not contained within pits or enclosures.

New 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 fire pits or enclosures.

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

New law provides civil penalties as follows for violations of a ban on burning declared pursuant to new law:

- (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.

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

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

New law provides that anyone who knowingly violates a burn ban and whose actions result in property damage exceeding \$5,000 shall be fined up to \$1,000 or imprisoned for up to six months, or both.

New law provides that anyone who knowingly violates a burn ban and whose actions result in damage to critical infrastructure shall be fined up to \$25,000 or imprisoned with or without hard labor for up to five years, or both.

New 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.

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

Effective August 1, 2026.

(Adds R.S. 40:1602.1)