

2026 Regular Session

HOUSE BILL NO. 1153

BY REPRESENTATIVE COATES

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. The governing authority of
15 the parish shall lift a ban on burning when the risk ceases to be elevated.

16 (2) A ban on burning may be declared by ordinance, resolution of the parish
17 governing authority, or emergency proclamation issued by the parish president.
18 Notice of the ban shall be published in the official parish journal.

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

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

24 (a) Burning of yard debris.

25 (b) Land clearing burns.

26 (c) Burning of construction debris.

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

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

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

4 (b) Prescribed burns conducted by certified personnel.

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

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

7 B.(1) The governing authority of any municipality may declare a temporary
 8 ban on burning within municipal limits when weather or environmental conditions
 9 create an elevated risk of wildfire or uncontrolled fire spread. The governing
 10 authority of the municipality shall lift a ban on burning when the risk ceases to be
 11 elevated.

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

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

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

19 (2) Civil penalties shall apply as follows:

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

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

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

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

25 (4) Any person responsible for a fire resulting from a violation may be liable
 26 for the costs of fire suppression and emergency response incurred by local fire
 27 departments and municipal or parish governments.

28 D.(1) Any person who knowingly violates a ban on burning and whose
 29 actions result in property damage exceeding five thousand dollars shall be fined not
 30 more than one thousand dollars or imprisoned for not more than six months, or both.

1 (2) Any person who knowingly violates a ban on burning and whose actions
 2 result in damage to critical infrastructure, as defined in R.S. 14:61, shall be fined not
 3 more than twenty-five thousand dollars or imprisoned with or without hard labor for
 4 not more than five years, or both.

5 (3) In addition to the penalties provided in this Subsection, the offender shall
 6 pay restitution pursuant to Code of Criminal Procedure Article 883.2 to the owner
 7 of any property damaged by the violation.

8 E. In addition to local and state law enforcement agencies, the provisions of
 9 this Section may be enforced by fire department personnel and municipal code
 10 enforcement officers.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____