

Regular Session, 2010

# ACT No. 276

HOUSE BILL NO. 773

BY REPRESENTATIVE ROY

1 AN ACT

2 To amend and reenact R.S. 3:17(E), relative to limitations of liability; to provide a rebuttable  
3 presumption of nonnegligence for prescribed burnings; and to provide for related  
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:17(E) is hereby amended and reenacted to read as follows:

7 §17. Prescribed burning; intent and purpose; authorization; definitions

8 \* \* \*

9 E. ~~No~~ If a property owner, lessee, or any person or entity owning a property  
10 interest of any kind, or their agent or employee, ~~conducting~~ conducts a prescribed  
11 burn pursuant to the requirements of this Section and the rules and regulations  
12 promulgated pursuant to this Section, ~~shall be liable for damage, injury, or loss~~  
13 ~~caused by fire, resulting smoke, or other consequence of the prescribed burn, unless~~  
14 ~~negligence is proven.~~ there shall be a rebuttable presumption of nonnegligence.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_