H-3112.1

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**HOUSE BILL 2310**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Representatives Van De Wege, Dunshee, Pettigrew, and Kirby

AN ACT Relating to fire prevention in 2016; creating new sections; providing an expiration date; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  Notwithstanding any provision of chapter 70.77 RCW or other applicable laws to the contrary, the sale, purchase, use, and discharge of consumer fireworks within the state is prohibited from June 1, 2016, through September 30, 2016. The authority or authorities that regulate fireworks in each jurisdiction throughout the state must ensure compliance with this section.

NEW SECTION. **Sec.**  (1) Notwithstanding any provision of Title 35 RCW and chapters 35A.70, 36.43, 52.12, 70.94, and 76.04 RCW to the contrary, from July 1, 2016, through September 30, 2016:

(a) Burning outdoors without a permit in any area of the state is prohibited; and

(b) No state, regional, or local agency or government may permit burning outdoors within the state, unless the burning is necessary to protect life or property, or necessary for the public health, safety, or welfare.

(2) The authority that regulates burning outdoors in each jurisdiction throughout the state must ensure compliance with this section.

(3) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Burning outdoors" means all forms of burning outdoors, including but not limited to agricultural, recreational, residential, and silvicultural burning.

(b) "State, regional, or local agency or government" means any agency or unit of government within the state with authority to regulate or authorize burning outdoors within its respective jurisdiction, such as:

(i) The department of ecology, the department of natural resources, and state, regional, and local air pollution control authorities as provided in chapter 70.94 RCW;

(ii) The department of natural resources as provided in chapter 76.04 RCW;

(iii) Special purpose districts, including fire protection districts as provided in chapter 52.12 RCW; and

(iv) Counties, cities, and towns.

NEW SECTION. **Sec.**  This act expires October 1, 2016.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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