



House of Representatives

General Assembly

File No. 35

February Session, 2026

House Bill No. 5152

House of Representatives, March 17, 2026

The Committee on Environment reported through REP. PARKER of the 101st Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING CERTAIN AUTHORITIES RELATED TO THE PREVENTION OF WILDFIRES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (f) of section 22a-174 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective October*
3 *1, 2026*):

4 (f) The commissioner shall allow the open burning of brush on
5 residential property, provided the burning is conducted by the resident
6 of the property or the agent of the resident and a permit for such burning
7 is obtained from the local open burning official of the municipality in
8 which the property is located, and the open burning of brush in
9 municipal landfills, transfer stations and municipal recycling centers,
10 provided a permit for such burning is obtained from the fire marshal of
11 the municipality where the facility is located, except that no open
12 burning of brush shall occur (1) when national or state ambient air
13 quality standards may be exceeded; (2) where a hazardous health
14 condition might be created; (3) when the forest fire danger in the area is

15 identified by the commissioner as high, very high or extreme and where
16 woodland or grass land is within one hundred feet of the proposed
17 burn; (4) where there is an advisory from the commissioner of any air
18 pollution episode; (5) where prohibited by an ordinance of the
19 municipality; and (6) in the case of a municipal landfill, when such
20 landfill is within an area designated as a hot spot on the open burning
21 map prepared by the commissioner. A permit for the burning of brush
22 at any municipal landfill, municipal transfer station or municipal
23 recycling center shall be issued no more than six times in any calendar
24 year. The proposed permit to burn brush at any municipal landfill,
25 municipal transfer station or municipal recycling center shall be
26 submitted to the commissioner by the fire marshal, with the approval of
27 the chief elected official of the municipality in which the municipal
28 landfill, municipal transfer station or municipal recycling center is
29 located. The commissioner shall approve or disapprove the fire
30 marshal's proposed permitting of burning of brush at a municipal
31 landfill, municipal transfer station or municipal recycling center within
32 a reasonable time of the filing of such application. The burning of leaves,
33 demolition waste or other solid waste deposited in such landfill shall be
34 prohibited. The burning of nonprocessed wood for campfires and
35 bonfires is not prohibited if the burning is conducted so as not to create
36 a nuisance and in accordance with any restrictions imposed on such
37 burning. Nothing in this subsection or in any regulation adopted
38 pursuant to this subsection shall affect the power of any municipality to
39 regulate or ban the open burning of brush within its boundaries for any
40 purpose. Notwithstanding any other provision of this section, fire
41 breaks for the purpose of controlling forest fires and controlled fires in
42 saltwater marshes to forestall uncontrolled fires are not prohibited.
43 Open burning may be engaged in for any of the following purposes if
44 the open burning official with jurisdiction over the area where the
45 burning will occur issues an open burning permit: Fire-training
46 exercises; eradication or control of insect infestations or disease;
47 agricultural purposes; clearing vegetative debris following a natural
48 disaster; and vegetative management or enhancement of wildlife habitat
49 or ecological sustainability on municipal property or on any privately

50 owned property permanently dedicated as open space. Open burning
51 for such purposes on state property may be engaged in with the written
52 approval of the commissioner. Local burning officials nominated for the
53 purposes of this subsection shall be nominated only by the chief
54 executive officer of the municipality in which the official will serve and
55 shall be certified by the commissioner. The chief executive officer may
56 revoke the nomination. The commissioner may adopt regulations, in
57 accordance with the provisions of chapter 54, governing open burning
58 and may authorize or prohibit open burning consistent with this section.
59 The regulations may require the payment of an application fee and
60 inspection fee and may establish a certification procedure for local
61 burning officials.

62 Sec. 2. Section 23-36 of the general statutes is repealed and the
63 following is substituted in lieu thereof (*Effective October 1, 2026*):

64 The State Forest Fire Warden may take such action as said warden
65 deems necessary to provide for the prevention and control of forest fires.
66 Said warden may enter into agreements with federal agencies, with
67 cities, boroughs and fire districts and with forest protective associations
68 for the purpose of carrying out the provisions of this section. Said
69 warden, if the Commissioner of Energy and Environmental Protection
70 deems necessary, may prohibit open flames upon any or all lands under
71 the commissioner's control. Said warden shall divide the state into
72 districts for the purpose of preventing and controlling forest fires and
73 shall appoint within these districts such district fire wardens, not
74 exceeding two hundred and fifty, as said warden deems necessary, who
75 shall serve for two years or until their successors are appointed. The
76 State Forest Fire Warden shall have supervision of district fire wardens
77 and shall instruct them in their duties. Each district fire warden may,
78 with the approval of the State Forest Fire Warden, appoint deputies to
79 assist in extinguishing fires and to take charge of such extinguishing in
80 such district fire warden's absence, provided, in cities having paid fire
81 departments and whose boundaries are coterminous with the town
82 boundaries, the State Forest Fire Warden may appoint a district fire
83 warden and may assume responsibility for forest fires only upon the

84 written request of the mayor of such city and for such portions as may
85 be designated by such mayor. Cities without paid fire departments and
86 portions of towns outside of city limits shall be included in forest fire
87 districts and the State Forest Fire Warden may employ volunteer fire
88 companies under the conditions described in this section and sections
89 23-37 to 23-42, inclusive. The State Forest Fire Warden shall establish
90 rates of compensation for equipment usage, fire fighting materials and
91 supplies expended and firefighter and laborer time expended in
92 extinguishing forest fires to be paid to such volunteer fire companies as
93 may be employed. In establishing such rates, the State Forest Fire
94 Warden may differentiate between various kinds of equipment and
95 material and supplies used and the provisions of section 23-39, as
96 amended by this act, shall apply to the establishment of rates of
97 compensation for firefighter and laborer time. Notwithstanding any
98 provision of the general statutes or any municipal ordinance, upon the
99 declaration by the Governor of the existence of a state of emergency due
100 to forest fire, the State Forest Fire Warden may assume direct authority
101 over efforts to extinguish any forest fire and may assign such authority
102 to any state forest fire control personnel.

103 Sec. 3. Section 23-39 of the general statutes is repealed and the
104 following is substituted in lieu thereof (*Effective October 1, 2026*):

105 The compensation of district and deputy fire wardens, trained
106 firefighters organized in accordance with rules issued by the State Forest
107 Fire Warden and such laborers as said warden finds it necessary to
108 employ shall be fixed by said warden on an hourly basis, subject to the
109 approval of the Commissioner of Administrative Services. Volunteer
110 fire companies may be compensated in accordance with section 23-36,
111 as amended by this act. The chief of the fire department in any town,
112 city or borough who receives a regular salary shall be paid no additional
113 compensation when acting as a fire warden. District fire wardens shall
114 prepare their bills for services rendered by them and by the personnel
115 and automobiles and other apparatus employed or used by them in
116 extinguishing fires. The chief of any volunteer fire company may
117 prepare bills for services rendered by said company and by the

118 personnel and automobiles and other apparatus employed or used by
119 them in extinguishing forest fires, if said company is allowed by town
120 ordinance to receive payment for such bills. Such bills shall be on a form
121 prescribed by the State Forest Fire Warden and shall be submitted to the
122 State Forest Fire Warden within one month after the services have been
123 rendered, and, if found correct and approved by said warden, shall be
124 ordered paid by the State Comptroller. Due to emergency, the State
125 Forest Fire Warden may extend the one-month submittal deadline to not
126 more than four months. A copy of each bill so paid on account of any
127 fire within a city, as provided in section 23-36, as amended by this act,
128 shall be sent by the State Forest Fire Warden to the city treasurer of the
129 city in which the fire occurred, except bills for which a railroad company
130 is liable under the provisions of section 23-42, and, on or before the tenth
131 day of December in each year, such city treasurer shall draw the
132 treasurer's order in favor of the State Treasurer for the full amount of
133 such bills submitted during the twelve months next preceding. The State
134 Forest Fire Warden may forgive such bills if the state would incur
135 administrative costs in collecting the debt owed that would exceed the
136 actual debt owed. Bills for expenses incurred or services rendered by
137 district or deputy wardens in the performance of duties other than fire
138 fighting shall be submitted to the State Forest Fire Warden on or before
139 the tenth day of December and the tenth day of June in each year. Upon
140 approval by the State Forest Fire Warden, such bills shall be ordered
141 paid by the State Comptroller from any sums available for the expenses
142 of the State Forest Fire Warden. All fire warden bills authorized by
143 sections 23-37, 23-38, 23-40 to 23-42, inclusive, and this section shall
144 show in detail the amount and character of the services performed, the
145 exact duration thereof and all disbursements made by such wardens.

146 Sec. 4. Section 23-50 of the general statutes is repealed and the
147 following is substituted in lieu thereof (*Effective October 1, 2026*):

148 Whenever it appears to the Governor that by reason of extreme
149 drought or other hazardous conditions there is danger of forest fires,
150 [he] the Governor may proclaim [that] one or more of the following: (1)
151 That any or all sections of woodland and brush land in the state shall be

152 closed, for such time as [he] the Governor may designate, to all persons
 153 except the owners or tenants of such woodlands and their agents and
 154 employees, and [during such period of closure] (2) that no fire shall be
 155 kindled in the open air in any or all areas of the state. As soon as the
 156 woodland is deemed free from the danger of fire, the Governor may
 157 revoke [his] such proclamation. Any person who enters upon forest or
 158 brush land, except as provided herein, or who kindles or causes to be
 159 kindled a fire in the open air, during the period covered by the
 160 Governor's proclamation, shall be fined not less than five hundred
 161 dollars nor more than one [hundred] thousand dollars or imprisoned
 162 not more than six months or be both fined and imprisoned.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	22a-174(f)
Sec. 2	October 1, 2026	23-36
Sec. 3	October 1, 2026	23-39
Sec. 4	October 1, 2026	23-50

ENV *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 27 \$	FY 28 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill makes various changes that limit activities across the state to prevent wildfires. The bill prohibits open brush burning within 100 feet of a woodland or grass land area when the Department of Energy and Environmental Protection (DEEP) commissioner identifies the forest fire risk as high or very high and extends the length of time the state forest fire warden may approve reimbursement for various emergency services. These procedural changes do not result in a fiscal impact as the agency currently has the ability to provide reimbursements beyond the one-month deadline.

Additionally, the bill (1) broadens the Governor's authority to ban access to and burning on certain woodlands and brushlands, and (2) increases the fine for violating a ban from a minimum of \$5 and a maximum of \$100, to a minimum of \$500 and a maximum of \$1,000, resulting in a potential revenue gain to the General Fund beginning in FY 27¹. The extent of the revenue gain will depend on whether the governor enacts such a prohibition, the number of violations, and the

¹ In the past four years, no person has been charged or fined under CGS 23-50

finer imposed, with a minimum potential revenue gain of \$400 per violation.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the increased number of violations and additional fines collected.

OLR Bill Analysis**HB 5152*****AN ACT CONCERNING CERTAIN AUTHORITIES RELATED TO THE PREVENTION OF WILDFIRES.*****SUMMARY**

This bill expands the authority of the Department of Energy and Environmental Protection (DEEP) commissioner, state forest fire warden, and governor to limit activities across the state in specified ways to prevent wildfires.

First, the bill bans open brush burning within 100 feet of a woodland or grass land area when the commissioner identifies the forest fire risk as high or very high. Under existing law, unchanged by the bill, this is also banned when she finds the fire risk is extreme. By law, the DEEP commissioner must generally allow open brush burning on residential properties, municipal landfills and recycling centers, and transfer stations except in certain circumstances (e.g., when there is a heightened fire risk or the municipality prohibits it).

Secondly, the bill allows the state forest fire warden to ban open flames on all or any part of land the commissioner controls (e.g., state parks), if the DEEP commissioner finds it necessary. The bill also allows the forest fire warden, if there is an emergency, to extend the deadline for volunteer fire department chiefs to submit to the warden reimbursement requests for their services. Under current law, chiefs must submit them within one month after the department provides services. The bill allows the warden to extend the deadline to four months.

Additionally, current law allows the governor, when there is extreme drought or other hazardous conditions that increase forest fire risk, to (1) close to the public all sections of woodland and brush land in the

state for a time period he sets and (2) ban any open-air fire in any or all areas of the state. The bill allows the governor to take either or both of these actions rather than requiring him to do both simultaneously, as current law requires. The bill also increases the range of the fines for violating either of these restrictions, from between \$5 and \$100 to between \$500 and \$1,000. Under existing law, unchanged by the bill, a person may also be imprisoned for up to six months for a violation.

Lastly, the bill makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2026

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 33 Nay 0 (03/04/2026)