



General Assembly

February Session, 2026

***Raised Bill No. 5152***

LCO No. 1019



Referred to Committee on ENVIRONMENT

Introduced by:  
(ENV)

***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2 repealed and the following is substituted in lieu thereof (*Effective October*  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 one or more of the following: (1) [that]  
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 (2) [during such period of closure] 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	<i>October 1, 2026</i>	22a-174(f)
Sec. 2	<i>October 1, 2026</i>	23-36
Sec. 3	<i>October 1, 2026</i>	23-39
Sec. 4	<i>October 1, 2026</i>	23-50

**Statement of Purpose:**

To augment certain authority of the Department of Energy and Environmental Protection and the Governor concerning measures to prevent wildfires.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*