

AMENDED IN ASSEMBLY SEPTEMBER 10, 1997

AMENDED IN ASSEMBLY AUGUST 29, 1997

AMENDED IN ASSEMBLY AUGUST 25, 1997

SENATE BILL

No. 638

Introduced by Senator O'Connell

(Principal coauthors: Assembly Members Firestone and Takasugi)

(Coauthors: Senators Ayala, Costa, Kopp, Johnson, Monteith, and Mountjoy)

(Coauthors: Assembly Members Ackerman, Campbell, Havice, Knox, Machado, Margett, Martinez, Mazzoni, Morrissey, Napolitano, Olberg, and Runner)

February 25, 1997

An act to amend Section 41806 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 638, as amended, O'Connell. Air pollution: nonagricultural burning: American flag.

Existing law governing nonagricultural burning generally prohibits the use of open outdoor fires for the purpose of disposal or burning of specified materials. Existing law exempts from that prohibition burning to dispose of the combustible or flammable solid waste of a single- or two-family dwelling on its premises and outdoor fires used only for cooking food for human beings or for recreational purposes.

This bill would also exempt the burning, *in a respectful and dignified manner*, of an unserviceable American flag that is no longer fit for display.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 41806 of the Health and Safety
- 2 Code is amended to read:
- 3 41806. Nothing in this article shall be construed as
- 4 prohibiting any of the following:
- 5 (a) Burning for the disposal of the combustible or
- 6 flammable solid waste of a single- or two-family dwelling
- 7 on its premises.
- 8 (b) Open outdoor fires used only for cooking food for
- 9 human beings or for recreational purposes.
- 10 (c) The burning, *in a respectful and dignified manner*,
- 11 of an unserviceable American flag that is no longer fit for
- 12 display.

