

119TH CONGRESS
2D SESSION

H. R. 10109

To amend the Commodity Exchange Act to prohibit wildfire event contracts on prediction markets, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 17, 2026

Mr. BAUMGARTNER introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Commodity Exchange Act to prohibit wildfire event contracts on prediction markets, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wildfire Event Con-
5 tract Prohibition Act”.

1 **SEC. 2. PROHIBITION ON WILDFIRE EVENT CONTRACTS.**

2 Section 5c(c)(5) of the Commodity Exchange Act (7
3 U.S.C. 7a-2(c)(5)) is amended by adding at the end the
4 following:

5 “(D) PROHIBITION ON WILDFIRE EVENT
6 CONTRACTS.—

7 “(i) IN GENERAL.—Notwithstanding
8 any other provision of this section, no
9 agreement, contract, transaction, or swap
10 involving a matter described in clause (ii)
11 (or any index, measure, value, or data re-
12 lated thereto, or occurrence, extent of an
13 occurrence, or contingency based thereon)
14 may be listed or made available for clear-
15 ing or trading on or through a registered
16 entity.

17 “(ii) MATTER DESCRIBED.—The mat-
18 ter referred to in clause (i) is any wildfire
19 event, including the ignition, occurrence,
20 location, duration, intensity, size, spread,
21 containment, evacuation resulting from, in-
22 jury or death caused by, or property dam-
23 age resulting from a wildfire.”.

24 **SEC. 3. SENSE OF CONGRESS.**

25 It is the sense of Congress that—

1 (1) wildfire event contracts create an improper
2 financial incentive to profit from the ignition,
3 spread, duration, and destructive effects of a wild-
4 fire;

5 (2) such contracts may undermine public con-
6 fidence in emergency-response decisions and create
7 opportunities to exploit material nonpublic informa-
8 tion concerning wildfire conditions, incident oper-
9 ations, evacuation orders, or containment activities;

10 (3) federally regulated markets should not fa-
11 cilitate gambling on the destruction of homes, busi-
12 nesses, natural resources, or communities; and

13 (4) nothing in this Act or an amendment made
14 by this Act preempts a State law that regulates or
15 prohibits gambling or gaming.

16 **SEC. 4. REVIEW OF EXISTING AUTHORITIES RELATING TO**
17 **WILDFIRE EVENT TRADING.**

18 (a) REVIEW.—Not later than 180 days after the date
19 of enactment of this Act, the Attorney General, in con-
20 sultation with the Chairman of the Commodity Futures
21 Trading Commission, the Secretary of Agriculture, the
22 Secretary of the Interior, and the heads of such other Fed-
23 eral agencies as the Attorney General determines appro-
24 priate, shall conduct a review of existing Federal criminal
25 and civil authorities relating to conduct undertaken for the

1 purpose of influencing, exploiting, or profiting from a wild-
2 fire event through an event contract or other wager.

3 (b) MATTERS INCLUDED.—The review under sub-
4 section (a) shall include an assessment of—

5 (1) Federal criminal and civil authorities appli-
6 cable to an individual who intentionally causes, at-
7 tempts to cause, or conspires with another person to
8 cause a wildfire for the purpose of influencing the
9 outcome of, or profiting from, an event contract or
10 other wager;

11 (2) Federal criminal and civil authorities appli-
12 cable to an individual who trades on the basis of ma-
13 terial nonpublic information relating to a wildfire
14 event, including information regarding ignition, fire
15 behavior, incident response, evacuation, or contain-
16 ment;

17 (3) the applicability of Federal conspiracy, aid-
18 ing-and-abetting, fraud, market-manipulation,
19 money-laundering, forfeiture, and illegal gambling
20 authorities to conduct described in paragraphs (1)
21 and (2);

22 (4) the ability of Federal agencies to investigate
23 and pursue conduct involving offshore prediction-
24 market platforms, digital assets, or other cross-bor-

1 der means of placing or facilitating wagers on wild-
2 fire events;

3 (5) barriers to coordination among the Depart-
4 ment of Justice, the Commodity Futures Trading
5 Commission, Federal land-management agencies,
6 State and local law enforcement agencies, and wild-
7 fire incident-management personnel; and

8 (6) whether additional legislation, including en-
9 hanced penalties, forfeiture authorities, reporting re-
10 quirements, or information-sharing authorities, is
11 necessary to deter and prosecute such conduct.

12 (c) REPORT.—Not later than 30 days after com-
13 pleting the review required under subsection (a), the At-
14 torney General shall submit to the Committee on the Judi-
15 ciary and the Committee on Agriculture of the House of
16 Representatives and the Committee on the Judiciary and
17 the Committee on Agriculture, Nutrition, and Forestry of
18 the Senate a report describing the findings of the review
19 and any legislative recommendations.

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