

114TH CONGRESS
2D SESSION

H. R. 5815

To bar prosecution under section 844(f)(1) of title 18, United States Code,
in certain cases.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2016

Mr. WALDEN (for himself, Mr. LABRADOR, Mr. NEWHOUSE, and Mr. GOSAR)
introduced the following bill; which was referred to the Committee on the
Judiciary

A BILL

To bar prosecution under section 844(f)(1) of title 18,
United States Code, in certain cases.

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 “Resource Management
5 Practices Protection Act of 2016”.

6 **SEC. 2. BAR TO PROSECUTION UNDER SECTION 844(f)(1) OF**
7 **TITLE 18, UNITED STATES CODE, IN CERTAIN**
8 **CASES.**

9 Section 844(f)(1) of title 18, United States Code, is
10 amended—

1 (1) by inserting “(A)” after “(f)(1)”; and
2 (2) by adding after and below the end the fol-
3 lowing:
4 “(B) Subparagraph (A) shall not apply if—
5 “(i) the damage or destruction, or attempt to
6 damage or destroy, is by means of a fire that—
7 “(I) is set by a person to property owned
8 by the person—
9 “(aa) to prevent an imminent threat
10 of damage to that property; or
11 “(bb) as part of any other generally
12 accepted practice for managing vegetation
13 on timber, grazing, or farm land;
14 “(II) does not pose a serious threat of in-
15 jury to any individual or damage to any build-
16 ing, dwelling, or vehicle of the United States;
17 and
18 “(III) does not result in death or serious
19 bodily injury to any individual; and
20 “(ii) an individual who has not attained 16
21 years of age is not used in setting the fire.”.

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