

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 10.1-1141 of the Code of Virginia, relating to recovery of fire fighting*
3 *costs by localities; volunteer fire or rescue.*

4 [S 679]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 10.1-1141 of the Code of Virginia is amended and reenacted as follows:**

8 § 10.1-1141. Liability and recovery of cost of fighting forest fires by localities and the State Forester.

9 A. The State Forester in the name of the Commonwealth shall collect the costs of fire fighting
10 performed under the direction of a forest warden in accordance with § 10.1-1139 from any person who,
11 negligently or intentionally without using reasonable care and precaution starts a fire or who negligently
12 or intentionally fails to prevent its escape, which fire burns on any forestland, brushland, grassland or
13 wasteland. Such person shall be liable for the full amount of all expenses incurred by the
14 Commonwealth, for fighting or extinguishing such fire. All expenses collected shall be credited to the
15 Forestry Operations Fund. It shall be the duty of the Commonwealth's attorneys to institute and
16 prosecute proper proceedings under this section, at the instance of the State Forester.

17 B. Any locality may collect the costs of fire fighting from any person who intentionally starts a fire
18 and who fails to attempt to prevent its escape, which fire burns on any forestland, brushland, grassland
19 or wasteland. Such person shall be liable for the full amount of all expenses incurred by the locality
20 and any volunteer fire or rescue squad to fight or extinguish the fire and the reasonable administrative
21 costs expended to collect such expenses. The locality shall remit any costs recovered on behalf of
22 another entity to such entity.

23 C. The State Forester or a locality may institute an action and recover from either one or both
24 parents of any minor, living with such parents or either of them, the cost of forest fire suppression
25 suffered by reason of the willful or malicious destruction of, or damage to, public or private property by
26 such minor. No more than \$750 may be recovered from such parents or either of them as a result of any
27 forest fire incident or occurrence on which such action is based.

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