

76-13-105. Protection of nonforest lands and improvements from fire. (1) Nonforest lands and improvements may be protected by the department when requested by the landowner at rates determined by the department.

(2) Land classified as forest land under 76-13-107 within a wildland fire protection district as provided in 76-13-204, or otherwise under contract for fire protection by a recognized agency, must be protected as provided in 76-13-201 and 76-13-207.

(3) Private and public land, whether classified as forest land or otherwise, that is not within a wildland fire protection district or under the protection of a recognized agency or a municipality must be protected by a county as provided in 7-33-2202. The county governing body shall either provide direct protection as provided in 7-33-2202(3) or it shall enter into an agreement with a recognized agency.

~~Deleted: the department, a federal agency,~~

76-13-201. Duty of owner to protect Costs for protection against fire. (1) ~~An owner of land classified as forest land by the department shall protect against the starting or existence and suppress the spread of fire on that land. This protection and suppression must be in conformity with reasonable rules and standards for adequate fire protection adopted by the department.~~

(2) (1) If the An owner of land classified as forest land within a wildland fire protection district or otherwise under contract for fire protection by a recognized agency, does not provide for the protection and suppression, the is subject to the fees for fire protection provided in this section.

(2) The department may shall provide it fire protection to the land described in subsection (1) at a cost to the landowner of not more than \$30 for each landowner in the protection district and of not more than an additional 20 cents per acre per year for each acre in excess of 20 acres owned by each landowner in each protection district, as necessary to yield the amount of money provided for in 76-13-207. The owner of the land shall pay the charge approved by the department in accordance with part 1 and this part to the department of revenue. Payments to the department of revenue are due on or before November 30 of each year Assessment, payment, and collection of the fire protection costs must be made in accordance with 76-13-207.

(3) (2) Other charges may not be assessed to a

participating landowner except in cases of proven negligence on the part of the landowner or the landowner's agent or in the event of a violation of 50-63-102 or 50-63-103.

76-13-207. Determination and collection of costs of fire protection. (1) The department shall prepare an annual operation assessment plan in which fire protection costs are determined. The department shall request the legislature to appropriate the state's portion of the cost. After the appropriation is made by the legislature, the department shall cause an assessment to be made on the owners of land, as specified in 76-13-201 and 76-13-105, sufficient to bring the total amount received from the landowners to no greater than one-third of the amount specified in the appropriation.

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(2) On or before the ~~second Tuesday in August~~ first Tuesday in September of each year, the department shall certify in writing to the department of revenue the names of these owners of forest lands in each county, together with a description of their lands and a statement of the amount found to be due and owing by each of the owners to the department for ~~forest~~ wildland fire protection.

(3) Upon receiving the certificate from the department showing the amount due, the department of revenue shall extend the amounts upon the county tax rolls covering the lands, and the sums become obligations of the owner, to be paid and collected in the same manner and at the same time and subject to the same penalties as general state and county taxes upon the same property are collected.