

A-Engrossed
Senate Bill 1040

Ordered by the Senate April 26
Including Senate Amendments dated April 26

Sponsored by Senator THATCHER, Representative POST

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Makes owner, operator or lessee of quarry or mine located on property adjacent to Willamette River in Polk County [*strictly*] **and across river from City of Keizer** liable for injuries resulting from bullets that stray outside boundaries of property **if, after being notified that bullets have strayed, owner, operator or lessee fails to take reasonable measures to prevent additional bullets from straying.** [*Provides exceptions.*]

Makes person who discharges firearm from quarry or mine located on property adjacent to Willamette River in Polk County [*strictly*] **and across river from City of Keizer** liable for injuries resulting from bullets that stray outside boundaries of property.

[*Allows injured person to bring civil action against city or county that fails to reasonably regulate discharge of firearms from property adjacent to Willamette River in Polk County containing quarry or mine.*]

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to discharge of firearms from quarries or mines in Polk County adjacent to the Willamette
3 River; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) An owner, operator or lessee of an active quarry or mine located on**
6 **property adjacent to the Willamette River in Polk County and across the river from the City**
7 **of Keizer is liable for injuries resulting from bullets from a firearm discharged on the prop-**
8 **erty that stray outside the boundaries of the property if, after being notified that bullets**
9 **from a firearm discharged on the property have strayed outside the boundaries of the prop-**
10 **erty, the owner, operator or lessee of the property fails to take reasonable measures to**
11 **prevent any additional bullets from a firearm discharged on the property from straying out-**
12 **side the boundaries of the property.**

13 **(2) A person who discharges a firearm in an active quarry or mine located on property**
14 **adjacent to the Willamette River in Polk County and across the river from the City of Keizer**
15 **is liable for injuries resulting from bullets that stray outside the boundaries of the property.**

16 **SECTION 2. Section 1 of this 2019 Act applies to injuries occurring on or after the ef-**
17 **fective date of this 2019 Act.**

18 **SECTION 3. This 2019 Act being necessary for the immediate preservation of the public**
19 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
20 **on its passage.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.