

Enrolled
House Bill 3199

Sponsored by Representatives MCLANE, MCKEOWN; Representatives ESQUIVEL, GOMBERG, WITT

CHAPTER

AN ACT

Relating to the use of incendiary devices in proximity to forested areas.

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

SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 477.

SECTION 2. (1) As used in this section:

(a) "Exploding target" means a device:

(A) Designed for use or used as a target for small arms ammunition or for other projectiles;

(B) Consisting of a flammable substance or flammable combination of substances; and

(C) Capable of exploding when struck by small arms gunfire or by other projectiles.

(b) "Sky lantern" means an unmanned self-contained luminary device that uses heated air produced by an open flame or produced by another source to become or remain airborne.

(c) "Small arms" means a shotgun, rifle, pistol or revolver.

(d) "Tracer ammunition" means a bullet that contains a flammable substance designed to ignite upon firing of the bullet and to burn with sufficient brightness to allow observation of the bullet trajectory.

(2) A person violates this section if, during a fire season declared under ORS 477.505 for a forest protection district or a part of a forest protection district:

(a) The person releases a sky lantern or discharges an exploding target or tracer ammunition on land that is inside the district or is within one-eighth of a mile of the district; or

(b) A sky lantern released by the person or tracer ammunition discharged by the person crosses above land that is inside the district or is within one-eighth of a mile of the district.

(3) Violation of this section is a Class A violation. In addition to any enforcement officer specifically identified in ORS 153.005, the State Fire Marshal, the State Forestry Department or the State Forester may issue a citation for a violation under this section.

Passed by House April 10, 2013

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Ramona J. Line, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 14, 2013

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

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Kate Brown, Secretary of State