

# Senate Bill 1012

Sponsored by COMMITTEE ON JUDICIARY

## 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 **as introduced**.

Directs Department of State Police to establish safety procedures for shooting ranges and policies and procedures for certifying rangemasters. Allows counties and cities to regulate, restrict or prohibit discharge of firearms on shooting ranges. Removes certain exemptions from liability for alleged noise control violations by shooting ranges.

Creates crime of negligently damaging property with firearm or bow. Punishes by maximum of six months' imprisonment, \$500 fine, or both.

## A BILL FOR AN ACT

1  
2 Relating to shooting ranges; creating new provisions; and amending ORS 166.171, 166.172, 166.180  
3 and 467.131.

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

5 **SECTION 1. (1) As used in this section, "shooting range" means a public or private**  
6 **shooting range, shooting gallery or other area designed, built or used for the purpose of**  
7 **target shooting.**

8 **(2) The Department of State Police shall establish by rule safety procedures for shooting**  
9 **ranges. The rules shall include policies and procedures for the certification of rangemasters.**

10 **(3) Shooting ranges shall:**

11 **(a) Control gunfire so that bullets or other projectiles do not cross the plane of the**  
12 **shooting range boundary and do not enter property adjacent to the shooting range, absent**  
13 **consent by the owner or occupant of the adjacent property;**

14 **(b) Ensure that gates and doors are secured sufficiently to prevent unauthorized entry**  
15 **onto the premises; and**

16 **(c) Ensure that local noise control ordinances are observed.**

17 **(4) All shooting ranges shall employ a rangemaster, who shall be certified by the de-**  
18 **partment and shall be physically present at the shooting range at any time that firearms or**  
19 **other weapons are being discharged. The rangemaster shall ensure that:**

20 **(a) Weapon safety rules are prominently posted and are followed by all members and**  
21 **visitors while on the premises of the shooting range;**

22 **(b) All visitors to the shooting range provide identification and that their names are re-**  
23 **corded in a log;**

24 **(c) Alcoholic beverages are not consumed or possessed by anyone on the premises; and**

25 **(d) All firearms or other weapons that are brought onto the premises of the shooting**  
26 **range are recorded in a log book. The rangemaster shall cause to be recorded at least the**  
27 **following information:**

28 **(A) The make and model of the weapon;**

29 **(B) The caliber of the weapon;**

**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.

1 (C) The name and address of the person bringing the weapon onto the premises; and

2 (D) The date and time that the weapon is brought onto the premises.

3 **SECTION 2.** ORS 166.171 is amended to read:

4 166.171. (1) A county may adopt ordinances to regulate, restrict or prohibit the discharge of  
5 firearms within their boundaries.

6 (2) Ordinances adopted under subsection (1) of this section may not apply to or affect:

7 (a) A person discharging a firearm in the lawful defense of person or property.

8 (b) A person discharging a firearm in the course of lawful hunting.

9 (c) A landowner and guests of the landowner discharging a firearm, when the discharge will not  
10 endanger adjacent persons or property.

11 [(d) A person discharging a firearm on a public or private shooting range, shooting gallery or  
12 other area designed and built for the purpose of target shooting.]

13 [(e)] (d) A person discharging a firearm in the course of target shooting on public land that is  
14 not inside an urban growth boundary or the boundary of a city, if the discharge will not endanger  
15 persons or property.

16 **SECTION 3.** ORS 166.172 is amended to read:

17 166.172. (1) A city may adopt ordinances to regulate, restrict or prohibit the discharge of  
18 firearms within the city's boundaries.

19 (2) Ordinances adopted under subsection (1) of this section may not apply to or affect[:]

20 [(a)] a person discharging a firearm in the lawful defense of person or property.

21 [(b) A person discharging a firearm on a public or private shooting range, shooting gallery or other  
22 area designed and built for the purpose of target shooting.]

23 **SECTION 4.** ORS 166.180 is amended to read:

24 166.180. Any person who, as a result of failure to use ordinary care under the circumstances,  
25 wounds any other person **or damages another's property** with a bullet or shot from any firearm,  
26 or with an arrow from any bow, shall be punished by imprisonment in the county jail for a period  
27 not to exceed six months, or by a fine not to exceed \$500, or both. In addition, any person so con-  
28 victed shall forfeit any license to hunt, obtained under the laws of this state, and shall be ineligible  
29 to obtain a license to hunt for a period of 10 years following the date of conviction.

30 **SECTION 5.** ORS 467.131 is amended to read:

31 467.131. Any owner, operator or lessee of a rifle, pistol, silhouette, skeet, trap, blackpowder or  
32 other shooting range in this state shall be immune from civil or criminal liability based upon an  
33 allegation of noise or noise pollution so long as:

34 (1) The allegation results from the normal and accepted activity on the shooting range;

35 (2) The owner, operator or lessee [*complied*] **is in compliance** with any applicable noise control  
36 law or ordinance [*existing at the time construction of the shooting range began or no noise control law*  
37 *or ordinance was then existing*]; [*and*]

38 (3) The allegation results from activity on the shooting range occurring between 7 a.m. and  
39 [10] 7 p.m. or conducted for law enforcement training purposes[.]; **and**

40 (4) **The allegation does not result from activity on the shooting range on Christmas or**  
41 **Thanksgiving.**