

**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**

.....  
Ramona J. Line, Chief Clerk of House

.....  
Tina Kotek, Speaker of House

**Passed by Senate May 14, 2013**

.....  
Peter Courtney, President of Senate

**Received by Governor:**

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

**Approved:**

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

.....  
John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

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

.....  
Kate Brown, Secretary of State