

House Bill 3199

Sponsored by Representatives MCLANE, MCKEOWN; Representatives ESQUIVEL, WITT

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**.

Prohibits release of sky lantern, discharge of exploding target or discharge of tracer ammunition during fire season on or near forest protection district lands. Makes violation subject to maximum fine of \$2,000.

A BILL FOR AN ACT

1
2 Relating to the use of incendiary devices in proximity to forested areas.

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

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

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

6 (a) **"Exploding target" means a device:**

7 (A) **Designed for use as a target;**

8 (B) **Consisting of a chamber containing bulk material or an oxidizer and a chamber con-**
9 **taining a catalyst or sensitizing material; and**

10 (C) **Capable of exploding when hit by gunfire.**

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

13 (c) **"Tracer ammunition" means a bullet that contains a pyrotechnic charge in its base**
14 **that burns with sufficient brightness to be observed by the unaided eye.**

15 (2) **A person may not release a sky lantern, discharge an exploding target or discharge**
16 **tracer ammunition on:**

17 (a) **Land of any type that is located within the boundaries of a forest protection district**
18 **if any part of the district is subject to an order under ORS 477.505 declaring a fire season;**
19 **or**

20 (b) **Land of any type that is located within one-eighth of a mile of the exterior boundaries**
21 **of a forest protection district if any part of the district is subject to an order under ORS**
22 **477.505 declaring a fire season.**

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

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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.