

Senate Bill 311

Sponsored by Senator HANSELL (Presession filed.)

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**.

Authorizes State Fire Marshal to dispatch firefighting resources in response to fire or wildfire burning on unprotected property.

A BILL FOR AN ACT

1 Relating to fire response on unprotected property.

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

3 **SECTION 1. (1) If property is not provided with fire protection services by a fire depart-**
4 **ment, rural fire protection district, rangeland protection association, forest protective asso-**
5 **ciation, forest protection district or federal agency or otherwise provided with fire protection**
6 **services, or if the existence or nonexistence of a fire protection provider for a property**
7 **cannot readily be determined, the State Fire Marshal may dispatch firefighting resources in**
8 **response to a fire or wildfire on the property. Subject to subsection (2) of this section, the**
9 **State Fire Marshal shall have sole discretion to determine the appropriate firefighting re-**
10 **sources to be dispatched under this section. The State Fire Marshal may pay the cost for the**
11 **dispatched firefighting resources from any moneys available to the State Fire Marshal and**
12 **not otherwise restricted in purpose.**

13
14 **(2) If the Governor issues a declaration under ORS 476.510 to 476.610 that includes prop-**
15 **erty described in subsection (1) of this section, upon issuance of the declaration:**

16 **(a) The officer designated by the Governor shall be responsible for directing and com-**
17 **manding the firefighting resources that were dispatched to the property under subsection (1)**
18 **of this section; and**

19 **(b) Notwithstanding subsection (1) of this section, payment for the predeclaration and**
20 **post-declaration costs of the dispatched resources shall be paid under ORS 476.560.**

21 **(3) The State Fire Marshal may bill a property owner for the costs incurred by the State**
22 **Fire Marshal in dispatching firefighting resources under subsection (1) of this section. If a**
23 **bill sent to a property owner under this subsection remains unpaid 90 days after being sent,**
24 **the unpaid amount shall constitute a lien on the real property and on any timber salvaged**
25 **or harvested from the property. The State Fire Marshal may record the lien with the County**
26 **Clerk Lien Record of each county in which the real property is located.**

27

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.