

**SB 864 STAFF MEASURE SUMMARY**

**Carrier:** Sen. Hansell

**Senate Committee On Judiciary**

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**Action Date:** 03/20/23

**Action:** Do pass.

**Vote:** 4-0-1-0

**Yeas:** 4 - Gelser Blouin, Linthicum, Manning Jr, Prozanski

**Exc:** 1 - Thatcher

**Fiscal:** No fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Lucy Ohlsen, LPRO Analyst

**Meeting Dates:** 3/14, 3/20

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**WHAT THE MEASURE DOES:**

Expands definition of wildfire for purposes of civil immunity granted to persons who voluntary undertake the fighting of a wildfire to include a fire burning uncontrolled on private forestland.

**ISSUES DISCUSSED:**

- Impact of 2020 wildfires
- Existing law providing immunity
- Potential risks associated with firefighting

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

In the 2020 fire season, the Oregon Department of Forestry reports that approximately 2,101 wildfires in the state burned over 1.3 million acres, with a larger than usual number of acres burned being private forestland. Many logging and forest products companies rely on timber harvested from private forestland, which is mostly located in western Oregon. Responders to wildfires includes state employees, local firefighters, contracted wildfire crews, and local agencies. Through Senate Bill 290 (2019), the Legislative Assembly provided civil immunity to individual volunteers who engage in efforts to fight wildfire on private cropland, pasture or rangeland. The immunity does not extend to members of a volunteer fire department or fire district who have been trained in firefighting techniques, nor does it extend to the operation of a motor vehicle or to fires burning on private forestland.

Senate Bill 864 would extend civil immunity to individual volunteers engaging in efforts to fight wildfire on private forestland.