

HB 2594 A STAFF MEASURE SUMMARY

Carrier: Sen. Manning Jr

Senate Committee On Judiciary

Action Date: 05/10/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 3-0-0-2

Yeas: 3 - Gelser Blouin, Manning Jr, Prozanski

Abs: 2 - Linthicum, Thatcher

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

Prepared By: Lucy Ohlsen, LPRO Analyst

Meeting Dates: 4/25, 5/10

WHAT THE MEASURE DOES:

Modifies penalties for committing offense of throwing lighted material onto certain property.

ISSUES DISCUSSED:

- Potential situations appropriate for a lower charge
- Need to define risk present for escalation of charge
- Enforcement of current provision

EFFECT OF AMENDMENT:

Deletes portion of measure modifying penalty for violating ORS 476.715. Provides that violation of ORS 476.715 is a Class B misdemeanor only if a person commits the offense on applicable land during a fire season or if the offense results in the ignition of a fire. In all other cases, provides that violation of ORS 476.715 is a Class A violation.

BACKGROUND:

Current law, under ORS 476.715, prohibits individuals from throwing away any lighted material on any forestland, private road, public highway or railroad right of way within Oregon. A violation of ORS 476.715 is a Class B misdemeanor.

House Bill 2594 A provides that violation of ORS 476.715 is a Class B misdemeanor only if a person commits the offense on applicable land during a fire season or if the offense results in the ignition of a fire. In all other cases, the measure provides that violation of ORS 476.715 is a Class A violation.