

# House Bill 2522

Sponsored by Representatives MARSH, MORGAN (Pre-session 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**.

Requires governing body of county that contains at-risk land, as defined, to develop, or solicit proposals for development of, fire response plan or wildfire response plan.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to plans for responding to fire; and prescribing an effective date.

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

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

5 (a) **“At-risk land” means unprotected land within a county and inadequately protected**  
6 **land within a county.**

7 (b) **“Fire response plan” means a plan for responding to fire on at-risk land in areas with**  
8 **a population density of 100 persons or more per square mile.**

9 (c) **“Inadequately protected land” means land that:**

10 (A) **Is determined by the governing board of the county to lack effective fire protection,**  
11 **including land the county has zoned as zone 1 or zone 2 pursuant to ORS 476.310, regardless**  
12 **of whether the land is in a zone 1 and is subject to a bona fide fire protection plan, as de-**  
13 **scribed in ORS 476.310 (3), or is in a zone 2 and is subject to fire prevention and control ef-**  
14 **forts organized under ORS 476.330;**

15 (B) **Has a population density of at least 100 people per square mile; and**

16 (C) **Lies outside the boundaries of incorporated cities, organized rural fire protection**  
17 **districts, federal and state-owned land, tribal lands and railroad rights of way.**

18 (d) **“Unprotected land” means land lying outside the boundaries of incorporated cities,**  
19 **organized rural fire protection districts, federal and state-owned land, land protected under**  
20 **ORS chapter 477 and railroad rights of way not zoned pursuant to ORS 476.310, including land**  
21 **the county has zoned as zone 1 or zone 2 pursuant to ORS 476.310, if the land is in a zone 1**  
22 **and is not subject to a bona fide fire protection plan, as described in ORS 476.310 (3), or is**  
23 **in a zone 2 and is not subject to fire prevention and control efforts organized under ORS**  
24 **476.330.**

25 (e) **“Wildfire response plan” means a plan for responding to fire on at-risk land in areas**  
26 **with a population density of fewer than 100 persons per square mile.**

27 (2) **The governing body of a county that contains at-risk land shall:**

28 (a) **Develop a fire response plan or wildfire response plan for the at-risk land, or solicit**  
29 **proposals for development of a fire response plan or wildfire response plan for the at-risk**  
30 **land;**

31 (b) **If proposals are solicited, consider each proposal; and**

**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.

1       (c) Propose a fire response plan to the State Fire Marshal or propose a wildfire response  
2 plan to the State Forestry Department, depending on the population density of the at-risk  
3 lands.

4       (3) A fire response plan or wildfire response plan proposed pursuant to subsection (2) of  
5 this section must:

6       (a) Identify at-risk land within the county in which the fire response plan or wildfire re-  
7 sponse plan would apply;

8       (b) Propose effective fire protection services for the at-risk land, taking into account, on  
9 inadequately protected land, any bona fide fire protection plan described in ORS 476.310 (3)  
10 or fire prevention and control efforts organized under ORS 476.330; and

11       (c) Meet or exceed applicable guidelines established by the department under subsection  
12 (4) of this section or by the State Fire Marshal under subsection (5) of this section.

13       (4) The department shall by rule establish guidelines for a wildfire response plan.

14       (5) The State Fire Marshal shall by rule establish guidelines for a fire response plan that  
15 addresses fire incidents, including building fires, transportation-related fires, interface fires  
16 and other fire types as determined by the State Fire Marshal.

17       SECTION 2. This 2023 Act takes effect on the 91st day after the date on which the 2023  
18 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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