

A-Engrossed
Senate Bill 509

Ordered by the Senate March 20
Including Senate Amendments dated March 20

Sponsored by Senators GOLDEN, DEMBROW, Representative GRAYBER; Senators FREDERICK, JAMA, Representatives GOMBERG, HARTMAN, HIEB, HOLVEY, MARSH, NELSON (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.

[Requires State Forestry Department to study community-based programs for reducing wildfire risk. Directs department to submit findings to interim committees of Legislative Assembly related to natural resources no later than September 15, 2024.]

Establishes policy of State of Oregon related to reducing number and intensity of wildfires.

Instructs State Fire Marshal to establish grant and incentive program for reducing wildfire risk.

Instructs State Fire Marshal to establish neighborhood protection cooperative program.

Instructs State Fire Marshal to expand online presence of Department of State Fire Marshal in specified manner.

Instructs State Fire Marshal to develop 20-year strategic plan that prioritizes fire resiliency and building fire-adapted communities.

Instructs State Fire Marshal to establish interagency data collection system related to reducing wildfire risk.

Instructs State Fire Marshal to biannually report on policy, grant and incentive program, neighborhood protection cooperative program and expanded online presence.

Appropriates moneys to State Fire Marshal for deposit in Community Risk Reduction Fund for purposes related to grant and incentive program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to community-based programs for reducing wildfire risk; creating new provisions; amending
3 ORS 476.390 and 476.398; and declaring an emergency.

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

5 **SECTION 1. In pursuing the overarching objective of reducing the number and intensity**
6 **of catastrophic wildfires, it is the policy of the State of Oregon:**

7 **(1) To assist communities and property owners in implementing wildfire risk reduction**
8 **activities;**

9 **(2) To expand programs to serve wildfire-prone communities across this state as rapidly**
10 **as available resources allow; and**

11 **(3) To coordinate efforts across this state so as to optimize the effectiveness and cost-**
12 **efficiency of wildfire-related programs.**

13 **SECTION 2. The State Fire Marshal shall:**

14 **(1) Establish a grant and incentive program that supports communities, counties and the**
15 **public in reducing wildfire risk and prioritizes need-based applicants.**

16 **(2) Establish grant procedures by rule.**

17 **SECTION 3. (1) The State Fire Marshal shall establish a neighborhood protection coop-**

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 erative program to coordinate, streamline and improve Oregon programs that assist with
2 reducing wildfire risks around buildings and in neighborhoods, through on-site consultations
3 and cooperative practices.

4 (2) As part of the program, the State Fire Marshal shall develop a training curriculum
5 for on-site consultants who may visit properties and recommend best practices.

6 (3) The State Fire Marshal may conduct the training for on-site consultants described in
7 subsection (2) of this section or contract for a person or entity to conduct the training.

8 (4) The State Fire Marshal shall assist with making the on-site consultants described in
9 subsection (2) of this section available to assist property owners.

10 (5) To implement the program, the State Fire Marshal shall:

11 (a) Adopt rules.

12 (b) Hold public hearings in at least six communities in this state that have high exposure
13 to wildfire.

14 (c) Identify, through rules, opportunities for collaboration or coordination with all state
15 agencies that have programs and personnel focused on wildfire prevention in communities.

16 (d) Coordinate with state agencies to maximize efficiencies in receiving, processing and
17 expending nonstate funding related to reducing wildfire risk.

18 (6) The State Fire Marshal may enter into memoranda of understanding to facilitate the
19 coordination described in subsection (5) of this section.

20 (7) When adopting rules and implementing the program, the State Fire Marshal shall
21 prioritize collaborating with various groups, including:

22 (a) Local governments and special districts.

23 (b) Tribal governments.

24 (c) Fire departments and districts.

25 (d) Nonprofit organizations that are involved in community organizing or managing veg-
26 etation susceptible to wildfire.

27 (e) The State Forestry Department.

28 (f) The Oregon State University Extension Service Fire Program.

29 (g) The Building Codes Division of the Department of Consumer and Business Services.

30 (h) The Division of Financial Regulation of the Department of Consumer and Business
31 Services.

32 (i) The Higher Education Coordinating Commission.

33 (j) The Wildfire Programs Advisory Council.

34 (k) Consumer-owned and investor-owned utilities.

35 **SECTION 4.** (1) The State Fire Marshal shall expand the online presence of the Depart-
36 ment of the State Fire Marshal to include a central, user-friendly website that clearly de-
37 scribes all programs, grant opportunities and citizen input processes related to the
38 community risk reduction program described in section 1 of this 2023 Act, with the aim of
39 maximizing convenience for persons seeking relevant information and services across mul-
40 tiple agencies and organizations.

41 (2) The website described in subsection (1) of this section must include:

42 (a) A description of all opportunities for accessing resources that relate to the activities
43 of the community risk reduction program, including links to all relevant application materi-
44 als.

45 (b) The dates of all scheduled public meetings to discuss the activities of the community

1 **risk reduction program, and information on how to join the meetings online.**

2 (c) **Information on how to be added to any lists through which are announced future**
3 **relevant grant opportunities and public meetings.**

4 (d) **Instructions on how and when persons are able to submit comments on rulemaking**
5 **and other decision processes related to activities under the community risk reduction pro-**
6 **gram.**

7 (e) **Maps and other graphic materials related to activities under the community risk re-**
8 **duction program.**

9 (f) **Information on existing and forthcoming building code and defensible space require-**
10 **ments that impact activities under the community risk reduction program.**

11 (g) **Insurance information related to wildfire risk reduction.**

12 (h) **Information on organizing activities under the neighborhood protection cooperative**
13 **program described in section 3 of this 2023 Act.**

14 (i) **Links to relevant informational and educational materials.**

15 **SECTION 5. In consultation with relevant state agencies, counties, community organ-**
16 **izations, fire service providers and other partners, the State Fire Marshal shall develop a**
17 **20-year strategic plan that prioritizes fire resiliency and building fire-adapted communities.**

18 **SECTION 6. (1) The State Fire Marshal shall establish an interagency data collection**
19 **system to enable cooperation on wildfire risk reduction investments related to services and**
20 **activities under the community risk reduction program described in section 1 of this 2023**
21 **Act.**

22 (2) **The system must be designed to enable more effective planning, monitoring and**
23 **evaluation of the community risk reduction program.**

24 **SECTION 7. ORS 476.398 is amended to read:**

25 476.398. (1) The State Fire Marshal shall biannually report regarding the status of State Fire
26 Marshal and local government activities for carrying out ORS 476.392 **and sections 1, 2, 3 and 4**
27 **of this 2023 Act** to a committee or interim committee of the Legislative Assembly related to
28 wildfire, in the manner provided in ORS 192.245, to the State Wildfire Programs Director and to the
29 Wildfire Programs Advisory Council:

30 (a) On or before the date of convening of the regular session of the Legislative Assembly as
31 specified in ORS 171.010.

32 (b) Approximately six months after the date described in paragraph (a) of this subsection.

33 (2) The report shall include, but need not be limited to:

34 (a) A status report regarding community risk reduction and the establishment, administration
35 and enforcement of defensible space requirements;

36 (b) The amount of moneys expended during the year for community risk reduction and the es-
37 tablishment, administration or enforcement of defensible space requirements;

38 (c) **Information about the number, amounts, geographic distribution and categories of**
39 **awards of financial assistance made under the program described in section 2 of this 2023**
40 **Act, including awards of funding from federal, state and other sources;**

41 (d) **Recommendations for enhancing and leveraging opportunities for nonstate funding;**

42 (e) **Recommendations on how to improve wildfire risk reduction capacity, regional col-**
43 **laboration, neighborhood protection cooperatives and community risk reduction organiza-**
44 **tional efficiencies;**

45 (f) **Information about any barriers to completing the work supported by awards of fund-**

1 **ing under section 2 of this 2023 Act;**

2 [(c)] (g) The amount of moneys expended during the year for the suppression of fires on
3 wildland-urban interface lands; and

4 [(d)] (h) Any recommendations of the State Fire Marshal for legislative action, including, but
5 not limited to, current or future resource and funding needs for community risk reduction and es-
6 tablishing, administering or enforcing defensible space requirements.

7 **SECTION 8.** ORS 476.390 is amended to read:

8 476.390. As used in ORS 476.392, [and] 476.394[,] **and 476.398 and section 4 of this 2023 Act,**
9 “defensible space” means a natural or human-made area in which material capable of supporting the
10 spread of fire has been treated, cleared or modified to slow the rate and intensity of advancing
11 wildfire and allow space for fire suppression operations to occur.

12 **SECTION 9.** **In addition to and not in lieu of any other appropriation, there is appropri-**
13 **ated to the State Fire Marshal, for the biennium beginning July 1, 2023, out of the General**
14 **Fund, the amount of \$10,000,000, for deposit in the Community Risk Reduction Fund estab-**
15 **lished by ORS 476.396, which may be expended for purposes described in section 2 of this 2023**
16 **Act.**

17 **SECTION 10.** **This 2023 Act being necessary for the immediate preservation of the public**
18 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
19 **on its passage.**

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