

SENATE AMENDMENTS TO SENATE BILL 80

By COMMITTEE ON NATURAL RESOURCES

April 11

1 In line 2 of the printed bill, after “wildfire” insert “; creating new provisions; amending ORS
2 215.495, 431A.410, 431A.412, 455.612, 476.392, 476.396, 476.690, 477.027, 477.490 and 477.748 and sec-
3 tion 12d, chapter 592, Oregon Laws 2021; and declaring an emergency”.

4 Delete lines 4 through 8 and insert:
5

“STATEWIDE WILDFIRE HAZARD MAP

6
7
8 “**SECTION 1.** ORS 477.490 is amended to read:

9 “477.490. (1) The State Forestry Department shall oversee the development and maintenance of
10 a comprehensive [*statewide map of wildfire risk*] **statewide wildfire hazard map** that displays the
11 wildfire [*risk classes*] **hazard zones** described in subsection [(4)] (5) of this section and populates the
12 Oregon Wildfire Risk Explorer.

13 “(2) **The purposes of the map are to:**

14 “(a) **Educate Oregon residents and property owners about the residents’ and property**
15 **owners’ wildfire exposure by providing transparent and science-based information.**

16 “(b) **Assist in prioritizing fire adaptation and mitigation resources for the most vulner-**
17 **able locations.**

18 “(c) **Identify where defensible space standards and home hardening codes will apply.**

19 “[2)] (3) The Oregon Wildfire Risk Explorer must be the official wildfire planning and [*risk*]
20 **hazard** classification mapping tool for the State of Oregon.

21 “[3)] (4) The State Board of Forestry shall establish by rule criteria by which the map must be
22 developed and maintained, including criteria concerning the use of the most current wildfire as-
23 sessments.

24 “[4)] (5) In consultation with Oregon State University, the department shall establish [*five*] **four**
25 statewide wildfire [*risk classes of*] **hazard zones that are titled** extreme, high, moderate[,] **and** low
26 [*and no risk*] **hazard zones**. The [*classes*] **zones** must be:

27 “(a) Consistent with ORS 477.027.

28 “(b) Based on weather, climate, topography and vegetation.

29 “[5)] (6) The department shall enter into an agreement with the university that provides that
30 the university will develop and maintain the map and make the map publicly available in electronic
31 form through the Oregon Wildfire Risk Explorer.

32 “[6)] (7) The board shall adopt rules that:

33 “(a) Provide opportunities for public input into the assignment of properties to the wildfire [*risk*]
34 **classes**] **hazard zones** described in subsection [(4)] (5) of this section.

35 “(b) Require the department to provide notice and information **to a property owner whose**

1 **property is assigned to an extreme or high hazard zone within the wildland-urban interface,**
2 **as defined pursuant to ORS 477.027, about the fact that the property has been assigned to**
3 **an extreme or high hazard zone, the effects of the assignment and [about] how [a] the property**
4 **owner may appeal [an] the assignment of the property owner’s property to the extreme or high**
5 **[wildfire risk class] hazard zone.**

6 “(c) Allow affected property owners and local governments to appeal the assignment of proper-
7 ties to the wildfire [risk classes] **hazard zones** after the map is developed, after any updates to the
8 map and within a reasonable time after delivery of the notice and information described in para-
9 graph (b) of this subsection.

10 “[d] *Establish a specific process for appeals through which a requested change in assignment is*
11 *assessed based on:*]

12 “[A] *Whether the assignment is consistent with the criteria described in subsection (3) of this*
13 *section;*]

14 “[B] *Any pertinent facts that may justify a change in the assignment; and*]

15 “[C] *Any error in the data the department used to determine the assignment, if the error justifies*
16 *a change in the assignment.*]

17 “(d) **Provide that assignments of properties to extreme or high hazard zones may be ap-**
18 **pealed as a contested case as described in ORS chapter 183.**

19 “(8) **Before sending notices described in subsection (7)(b) of this section, the department**
20 **shall seek review of the notices by the Wildfire Programs Advisory Council to receive council**
21 **recommendations concerning tone, clarity of language and presentation of information.**

22 “[7] (9) The map must:

23 “(a) Be based on the wildfire [risk classes] **hazard zones.**

24 “(b) Be sufficiently detailed to allow the assessment of wildfire [risk] **hazard** at the property-
25 ownership level.

26 “(c) Include the boundaries of the wildland-urban interface, as defined in ORS 477.015, consistent
27 with national standards.

28 “(d) Include a layer that geospatially displays the locations of socially and economically vul-
29 nerable communities.

30 “(e) **Be completed and released expeditiously, following the collaboration described in**
31 **subsection (10) of this section.**

32 “[8] (10) To develop and maintain the map, **the department and** the university shall collab-
33 orate with [the department,] the State Fire Marshal, other state agencies, local governments, feder-
34 ally recognized Indian tribes in this state, other public bodies and any other information sources
35 that the university deems appropriate.

36 “(11) **In implementing subsections (7)(a) and (10) of this section, the department and the**
37 **university shall provide for robust community engagement through a process that:**

38 “(a) **Ensures, through the use of clear language, graphics, visuals and examples, that the**
39 **underlying criteria for assigning hazard zones are publicly available and comprehensible to**
40 **a public audience.**

41 “(b) **Is interactive and does not consist solely of delivering information in a top-down**
42 **manner.**

43 “(c) **Is coordinated with local partners, including counties, relevant state agencies and**
44 **the Wildfire Programs Advisory Council.**

45 “(12) **In addition to the community engagement described in subsection (11) of this sec-**

1 tion, to ensure that local characteristics in each area of this state are considered in the
2 mapping process and before the draft map is released, the department shall meet with county
3 commissioners and the county commissioners' staff in eight in-person meetings throughout
4 this state.

5 **“(13) When the draft map is released but before final publication of the map occurs:**

6 **“(a) The department shall accept public comment on the map.**

7 **“(b) After the meetings described in subsection (12) of this section, county commission-**
8 **ers, upon request by the county commissioners, must have one additional opportunity, ar-**
9 **ranged and scheduled by the Association of Oregon Counties, with either in-person**
10 **attendance or a hybrid of in-person and remote attendance, to discuss concerns about the**
11 **map and potential changes to the map.**

12 **“[(9)] (14) In maintaining the map, the university shall make technical adjustments as needed**
13 **and update the map consistent with the results of appeals described in subsection [(6)(b)] (7)(b) of**
14 **this section.**

15 **“[(10)] (15) The university shall provide technical assistance to representatives of state and local**
16 **government, and to landowners, that use the map.**

17 **“(16) Agencies of this state shall, as appropriate, use the map layer described in sub-**
18 **section (9)(d) of this section to:**

19 **“(a) Direct resources for wildfire hazard reduction and wildfire resiliency to those most**
20 **in need; and**

21 **“(b) Assist with identifying communities for extensive, targeted engagement and out-**
22 **reach related to wildfire hazard reduction and wildfire resiliency.**

23 **“(17) Agencies that use the map layer described in subsection (9)(d) of this section shall**
24 **conduct outreach:**

25 **“(a) In partnership with community leaders and community-based organizations;**

26 **“(b) By using different media;**

27 **“(c) By disseminating information through local schools, stores, faith-based organizations**
28 **and medical offices; and**

29 **“(d) By offering all information in the languages spoken in the relevant community, as**
30 **practicable.**

31
32 **“CLASSES OF WILDLAND-URBAN INTERFACE**

33
34 **“SECTION 2. ORS 477.027 is amended to read:**

35 **“477.027. (1) By rule, considering national best practices, the State Board of Forestry shall es-**
36 **tablish:**

37 **“(a) A definition of ‘wildland-urban interface.’**

38 **“(b) Criteria by which the wildland-urban interface must be identified and classified.**

39 **“(2) The criteria:**

40 **“(a) Must recognize differences across the state in fire hazard, fire risk and structural charac-**
41 **teristics within the wildland-urban interface.**

42 **“(b) May not exclude a category of land from inclusion in the wildland-urban interface.**

43 **“(3) Based on the criteria, the board shall establish [five] four classes of wildland-urban inter-**
44 **face.**

45 **“(4) The classes must be integrated into the comprehensive statewide map described in ORS**

1 477.490.

2
3 **“FINANCIAL ASSISTANCE RELATED TO DEFENSIBLE SPACE**

4
5 **“SECTION 3.** ORS 476.392 is amended to read:

6 “476.392. (1) The State Fire Marshal shall establish minimum defensible space requirements for
7 wildfire risk reduction on lands in areas identified on the [*statewide map of wildfire risk*] **statewide**
8 **wildfire hazard map** described in ORS 477.490 as within the wildland-urban interface.

9 “(2) The State Fire Marshal:

10 “(a) Shall consult with the Oregon Fire Code Advisory Board to establish the requirements.

11 “(b) Shall establish requirements that are consistent with and do not exceed the standards per-
12 taining only to defensible space that are set forth in the International Wildland-Urban Interface
13 Code published by the International Code Council, including the standards pertaining only to
14 defensible space that are set forth in sections 603 and 604 of the code.

15 “(c) May consider best practices specific to Oregon in order to establish the requirements.

16 “(d) Shall periodically reexamine the standards set forth in the International Wildland-Urban
17 Interface Code and update the requirements to reflect current best practices, in consultation with
18 the Oregon Fire Code Advisory Board.

19 “(e) Shall enforce the requirements that are applicable to lands within the jurisdiction of a local
20 government.

21 “(f) Shall adopt rules governing administration of the requirements.

22 “(g) May develop and apply a graduated fee structure for use in assessing penalties on property
23 owners for noncompliance with the requirements.

24 “(h) Shall consult on implementation of the requirements.

25 “(i) May adopt rules concerning reports by local governments described in subsection (4)(a) of
26 this section.

27 “(3) Subject to additional local requirements, the requirements shall apply statewide for all lands
28 in the wildland-urban interface that are designated as extreme or high risk, as identified on the map.

29 “(4) Notwithstanding subsection (2) of this section, a local government may:

30 “(a) Administer, consult on and enforce the requirements established by the State Fire Marshal,
31 within the jurisdiction of the local government. A local government that administers or enforces the
32 requirements established by the State Fire Marshal shall periodically report to the State Fire Mar-
33 shal regarding compliance with the requirements, including the extent of compliance for each prop-
34 erty within the jurisdiction of the local government, any change in the degree of compliance since
35 the last report and any other information required by the State Fire Marshal by rule.

36 “(b) Adopt and enforce local requirements for defensible space that are greater than the re-
37 quirements established by the State Fire Marshal. Any local requirements that a local government
38 adopts for defensible space must be defensible space standards selected from the framework set forth
39 in the International Wildland-Urban Interface Code or other best practices specific to Oregon.

40 “(c) Designate local fire districts, fire departments or fire agencies to enforce the requirements
41 established by the State Fire Marshal or the local government pursuant to paragraph (b) of this
42 subsection. A local government that designates enforcement must comply with the reporting re-
43 quirements in paragraph (a) of this subsection.

44 “(5) The State Fire Marshal shall administer a community risk reduction program that empha-
45 sizes education and methods of prevention with respect to wildfire risk, enforcement of defensible

1 space requirements, response planning and community preparedness for wildfires.

2 “(6) The State Fire Marshal may provide financial, administrative, technical or other assistance
3 to a local government to facilitate the administration and enforcement of requirements within the
4 jurisdiction of the local government. A local government shall expend financial assistance provided
5 by the State Fire Marshal under this subsection to give priority to the creation of defensible space:

6 “(a) On lands [owned by] **on which** members of socially and economically vulnerable communi-
7 ties, persons with limited proficiency in English and persons of lower income, as defined in ORS
8 456.055, **reside.**

9 “(b) For critical or emergency infrastructure.

10 “(c) For schools, hospitals and facilities that serve seniors.

11
12 **“LANDSCAPE RESILIENCY FUND**

13
14 **“SECTION 4. The Landscape Resiliency Fund is established in the State Treasury, sepa-**
15 **rate and distinct from the General Fund. Interest earned by the Landscape Resiliency Fund**
16 **shall be credited to the fund. The fund shall consist of all moneys placed in the fund as**
17 **provided by law and any gifts, grants, donations, endowments or bequests from any public**
18 **or private source. Moneys in the fund are continuously appropriated to the State Forestry**
19 **Department for landscape resilience projects and implementing ORS 477.503.**

20
21 **“COMMUNITY RISK REDUCTION FUND**

22
23 **“SECTION 5.** ORS 476.396 is amended to read:

24 **“476.396.** The Community Risk Reduction Fund is established in the State Treasury, separate
25 and distinct from the General Fund. Interest earned by the Community Risk Reduction Fund shall
26 be credited to the fund. **The fund shall consist of all moneys placed in the fund as provided by**
27 **law and any gifts, grants, donations, endowments or bequests from any public or private**
28 **source, including individuals and private organizations.** Moneys in the fund are continuously
29 appropriated to the State Fire Marshal for the purpose of carrying out community risk reduction
30 and the local government financial assistance described in ORS 476.392.

31
32 **“CLEANER AIR SPACES**

33
34 **“SECTION 6.** ORS 431A.410, as amended by sections 30 and 30a, chapter 86, Oregon Laws 2022,
35 is amended to read:

36 **“431A.410. (1)** As used in this section:

37 **“(a)** ‘Public education provider’ has the meaning given that term in ORS 326.545.

38 **“(b)** ‘Smoke filtration system’ means an air filtration system capable of removing particulates
39 and other harmful components of wildfire smoke in a public building.

40 **“(2)** In consultation and coordination with the Oregon Health Authority, the Department of
41 Human Services shall establish and implement a grant program that allows local governments, pub-
42 lic education providers, [and] federally recognized Indian tribes in Oregon, **nonprofits and faith-**
43 **based organizations** to:

44 **“(a)** Establish emergency spaces that provide cleaner air, warming or cooling.

45 **“(b)** Equip [public] buildings with:

1 “(A) Smoke filtration systems so the [public] buildings may serve as cleaner air spaces during
2 wildfire smoke and other poor air quality events.

3 “(B) Warming or cooling facilities so the [public] buildings may serve as temperate spaces during
4 dangerously hot or cold conditions.

5 “(3) The department shall require grantees to provide access to the spaces at no charge.

6 “(4) Warming or cooling spaces or facilities receiving grants under this section shall notify the
7 2-1-1 system provided for in ORS 403.400 to 403.430, regarding the space’s location and capacity and
8 shall keep the corporation updated with the space’s hours and dates of operation.

9 “**SECTION 7.** ORS 431A.412, as amended by sections 31 and 31a, chapter 86, Oregon Laws 2022,
10 is amended to read:

11 “431A.412. (1) As used in this section[,]:

12 “(a) ‘Public education provider’ has the meaning given that term in ORS 326.545.

13 “(b) ‘**Support**’ includes, but is not limited to, providing technical expertise, equipment,
14 staff assistance, training and general assistance.

15 “(2) The Department of Human Services is the lead state agency for [operating] **supporting**
16 **operations for** spaces that provide cleaner air, warming or cooling. The department shall:

17 “(a) Consult and collaborate with the Oregon Health Authority to align practices for voluntary
18 evacuations and emergency sheltering operations.

19 “(b) Coordinate with the authority in setting priorities for awarding grants described in ORS
20 431A.410.

21 “(c) Provide support to the local agencies, public education providers, [and] federally recognized
22 Indian tribes in Oregon, **nonprofits and faith-based organizations** that take lead roles in operat-
23 ing and planning spaces that provide cleaner air, warming or cooling.

24
25 “**WILDFIRE PROGRAMS ADVISORY COUNCIL**

26
27 “**SECTION 8.** ORS 476.690 is amended to read:

28 “476.690. (1) As used in this section, ‘defensible space’ has the meaning given that term in ORS
29 476.390.

30 “(2) There is established a Wildfire Programs Advisory Council to advise and assist the State
31 Wildfire Programs Director by:

32 “(a) Closely monitoring implementation of activities related to wildfire prevention and response,
33 including receiving and evaluating agency reports related to wildfire prevention and response.

34 “(b) Providing advice on potential changes to the activities in order to fulfill the goal of dra-
35 matically reducing wildfire risk in this state and ensuring that regional defensible space, building
36 codes and land use applications are appropriate.

37 “(c) Strengthening intergovernmental and multiparty collaboration and enhancing collaboration
38 between governments and stakeholders on an ongoing basis.

39 “(d) Developing strategies to enhance collaboration among governmental bodies and the general
40 public.

41 “(e) Assessing ways the [statewide map of wildfire risk] **statewide wildfire hazard map** de-
42 scribed in ORS 477.490 may inform development of building codes and land use laws, rules and de-
43 cisions, in a regionally appropriate manner.

44 “(f) Assessing the application of defensible space requirements to vineyards, crops and other
45 cultivated vegetation.

1 “(g) Reviewing Department of Land Conservation and Development findings and recommen-
2 dations in the report required by section 11, chapter 592, Oregon Laws 2021, and making additional
3 recommendations related to potential updates to the statewide land use planning program, local
4 comprehensive plans and zoning codes to incorporate wildfire [*risk*] **hazard** maps and minimize
5 wildfire [*risk*] **hazards** to people, public and private property, businesses, infrastructure and natural
6 resources.

7 “(3) The council is not a decision-making body but instead is established to provide advice, as-
8 sistance, perspective, ideas and recommendations to the State Wildfire Programs Director.

9 “(4) The President of the Senate and Speaker of the House of Representatives shall jointly ap-
10 point 19 members to the council as follows:

11 “(a) One member who represents county government.

12 “(b) One member who is a land use planning director of a county that is wholly or partially
13 within the wildland-urban interface.

14 “(c) One member who represents city government.

15 “(d) One member who is a land use planning director of a city that is wholly or partially within
16 the wildland-urban interface.

17 “(e) One member who represents fire chiefs and has experience with managing, fighting or pre-
18 venting fire within the wildland-urban interface.

19 “(f) One member who represents fire marshals and has experience with managing, fighting or
20 preventing fire within the wildland-urban interface.

21 “(g) One member who represents firefighters and has experience with managing, fighting or
22 preventing fire within the wildland-urban interface.

23 “(h) One member who represents rural residential property owners whose property is wholly or
24 partially within the wildland-urban interface.

25 “(i) One member who represents farming property owners whose property is wholly or partially
26 within the wildland-urban interface.

27 “(j) One member who represents ranching property owners whose property is wholly or partially
28 within the wildland-urban interface.

29 “(k) One member who represents forestland owners whose property is wholly or partially within
30 the wildland-urban interface.

31 “(L) One member who represents federally recognized Indian tribes with land wholly or partially
32 within the wildland-urban interface.

33 “(m) One member who represents a utility company.

34 “(n) One member who represents environmental interests.

35 “(o) One member who represents forest resiliency interests.

36 “(p) One member who represents state or regional land use planning organizations.

37 “(q) One member who represents land and housing development interests or real estate industry
38 interests.

39 “(r) One member who represents public health professionals.

40 “(s) One member who represents the environmental justice community.

41 “(5) The presiding officers shall provide public notice of an opportunity for interested parties to
42 submit names of interest for appointment to the council.

43 “(6) At least [30] **seven** days before appointing a member, the presiding officers shall consult in
44 good faith with the minority leaders of the Senate and House of Representatives on the appointment.

45 “(7) The term of service for each member is four years.

1 “(8) The members are eligible for reappointment.

2 “(9) The council shall elect a chairperson and vice chairperson to serve for one-year terms.

3 “(10) The members shall serve on the council as volunteers and are not entitled to reimburse-
4 ment for expenses.

5 “(11) The Department of Consumer and Business Services, Department of Land Conservation and
6 Development, [office] **Department** of the State Fire Marshal and State Forestry Department shall
7 each provide 15 percent of the time of a full-time equivalent employee to:

8 “(a) Cooperatively staff the council.

9 “(b) Attend council meetings as informational resources.

10 “(c) Assist with drafting reports at the request of the council.

11 “(d) Support the work of the State Wildfire Programs Director.

12 “(12) The Oregon State University Extension Service shall designate a person to serve as staff
13 for the council.

14 “(13) Each October the council shall submit a report to the Governor and appropriate commit-
15 tees or interim committees of the Legislative Assembly that describes progress on implementing
16 program activities related to defensible space, building codes, land use and community emergency
17 preparedness and that recommends improvements.

18 19 **“WILDFIRE HOME PREPAREDNESS PROGRAM**

20
21 **“SECTION 9. (1) In collaboration with the Department of Consumer and Business Ser-**
22 **vices, the Department of the State Fire Marshal shall establish and implement a grant pro-**
23 **gram to facilitate retrofitting of existing dwellings and accessory structures, as well as the**
24 **building of new dwellings, and of new accessory structures, following a wildfire event, to be**
25 **resistant and resilient to wildfire.**

26 **“(2) The program shall be known as the Wildfire Home Preparedness Program.**

27 **“(3) To implement the program, the Department of Consumer and Business Services**
28 **shall:**

29 **“(a) Publish a list of eligible retrofits and materials that reduce the vulnerability of**
30 **structures to wildfire and flying embers, as identified in section R327 of the Oregon Resi-**
31 **dential Specialty Code.**

32 **“(b) Determine the relative cost-effectiveness of the retrofits and materials.**

33 **“(4) To implement the program, the Department of the State Fire Marshal shall deter-**
34 **mine which entities are eligible to apply for and administer funds from the program.**

35 **“(5) The Department of the State Fire Marshal shall award grants to eligible applicants,**
36 **with a preference for awarding grants that:**

37 **“(a) Benefit persons who live in extreme or high wildfire hazard zones, as identified**
38 **pursuant to ORS 477.490.**

39 **“(b) Benefit persons in socially and economically vulnerable communities, as identified**
40 **pursuant to ORS 477.490 (9)(d).**

41 **“(c) Benefit low-income persons who have demonstrated financial need.**

42 **“(d) Benefit persons whose homes have been destroyed or significantly damaged by a**
43 **declared wildfire event.**

44 **“(e) Are relatively cost-effective, as identified under subsection (3)(b) of this section.**

45 **“(f) Have the potential to leverage federal or private funds.**

1 “(m) The county has adopted land use regulations that ensure that:
2 “(A) The accessory dwelling unit has adequate setbacks from adjacent lands zoned for resource
3 use;
4 “(B) The accessory dwelling unit has adequate access for firefighting equipment, safe evacuation
5 and staged evacuation areas; and
6 “(C) If the accessory dwelling unit is not in an area identified on the [*statewide map of wildfire*
7 *risk*] **statewide wildfire hazard map** described in ORS 477.490 as within the wildland-urban inter-
8 face, the accessory dwelling unit complies with the provisions of this section and any applicable
9 local requirements for defensible space established by a local government pursuant to ORS 476.392.
10 “(3) A county may not allow an accessory dwelling unit allowed under this section to be used
11 for vacation occupancy, as defined in ORS 90.100.
12 “(4) A county that allows construction of an accessory dwelling unit under this section may not
13 approve:
14 “(a) A subdivision, partition or other division of the lot or parcel so that the existing single-
15 family dwelling is situated on a different lot or parcel than the accessory dwelling unit.
16 “(b) Construction of an additional accessory dwelling unit on the same lot or parcel.
17 “(5) A county may require that an accessory dwelling unit constructed under this section be
18 served by the same water supply source or water supply system as the existing single-family dwell-
19 ing, provided such use is allowed for the accessory dwelling unit by an existing water right or a use
20 under ORS 537.545. If the accessory dwelling unit is served by a well, the construction of the ac-
21 cessory dwelling unit shall maintain all setbacks from the well required by the Water Resources
22 Commission or Water Resources Department.
23 “(6) An existing single-family dwelling and an accessory dwelling unit allowed under this section
24 are considered a single unit for the purposes of calculating exemptions under ORS 537.545 (1).
25 “(7) Nothing in this section requires a county to allow any accessory dwelling units in areas
26 zoned for rural residential use or prohibits a county from imposing any additional restrictions on
27 accessory dwelling units in areas zoned for rural residential use, including restrictions on the con-
28 struction of garages and outbuildings that support an accessory dwelling unit.
29 “**SECTION 11.** Section 12d, chapter 592, Oregon Laws 2021, is amended to read:
30 “**Sec. 12d.** (1) The Department of Consumer and Business Services shall develop the interactive
31 mapping tool described in [*section 12c of this 2021 Act*] **ORS 455.614** not more than 60 days after the
32 [*statewide map of wildfire risk*] **statewide wildfire hazard map** described in [*section 7 of this 2021*
33 *Act*] **ORS 477.490** is developed.
34 “(2) Any delay in developing the tool may not affect a deadline concerning the map.
35 “**SECTION 12.** ORS 455.612 is amended to read:
36 “455.612. (1) For extreme and high wildfire [*risk classes*] **hazard zones** in the wildland-urban
37 interface that are identified pursuant to ORS 477.490, the Department of Consumer and Business
38 Services shall adopt wildfire hazard mitigation building code standards that apply to new dwellings
39 and the accessory structures of dwellings, as described in section R327 of the 2021 Oregon Resi-
40 dential Specialty Code.
41 “(2) The department shall amend section R327 of the Oregon Residential Specialty Code to in-
42 clude standards for additions to existing dwellings and accessory structures and for replacement of
43 existing exterior elements covered in section R327 of the 2021 Oregon Residential Specialty Code.
44 “(3) The department shall incorporate the standards described in subsections (1) and (2) of this
45 section into any updates to the Oregon Residential Specialty Code.

1 “**SECTION 13.** ORS 477.748 is amended to read:

2 “477.748. (1) As used in this section, ‘small forestland owner’ means an individual, group, feder-
3 ally recognized Indian tribe in Oregon or association that owns:

4 “(a) Up to 160 acres of nonindustrial private forestland west of the crest of the Cascade Moun-
5 tains; or

6 “(b) Up to 640 acres of nonindustrial private forestland east of the crest of the Cascade Moun-
7 tains.

8 “(2) The State Forestry Department shall establish a small forestland grant program for the
9 purpose of providing grants, on a competitive basis, to support small forestland owners in reducing
10 wildfire risk through the restoration of landscape resiliency and the reduction of hazardous fuels
11 on the owners’ property.

12 “(3) In consultation with partners and stakeholders, the department shall set criteria for as-
13 ssuming grant applications and awarding grants. The criteria may include, but need not be limited
14 to:

15 “(a) Prioritization of projects on forestland in extreme or high wildfire [*risk classes*] **hazard**
16 **zones** described in ORS 477.490.

17 “(b) Owner commitment to maintaining fuel reduction treatments.

18 “(c) Owner possession of a forest management plan.

19 “(d) Project proximity to current or past fuel mitigation efforts, supported by any owner or
20 funding source, that would contribute to cross-boundary, landscape-scale forest resiliency.

21 “(e) Whether the project addresses additional resource concerns, such as insect and disease
22 management.

23 “(f) Whether critical facilities and infrastructure may receive enhanced protection due to project
24 outcomes.

25
26 “**APPROPRIATION**

27
28 “**SECTION 14. In addition to and not in lieu of any other appropriation, there is appro-**
29 **riated to the Department of the State Fire Marshal, for the biennium beginning July 1, 2023,**
30 **out of the General Fund, the amount of \$10,000,000, which may be expended for purposes**
31 **described in section 9 of this 2023 Act.**

32
33 “**CAPTIONS**

34
35 “**SECTION 15. The unit captions used in this 2023 Act are provided for the convenience**
36 **of the reader and do not become part of the statutory law of this state or express any leg-**
37 **islative intent in the enactment of this 2023 Act.**

38
39 “**EFFECTIVE DATE**

40
41 “**SECTION 16. This 2023 Act being necessary for the immediate preservation of the public**
42 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**
43 **on July 1, 2023.”**
44