

House Bill 2819

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for State Forestry Department)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act relates to fire protection. The Act allows citations on certain bases. (Flesch Readability Score: 63.5).

Authorizes persons who enforce fire protection laws to issue citations if there are reasonable grounds to believe violations have occurred.

A BILL FOR AN ACT

1
2 Relating to fire protection enforcement procedures; amending ORS 477.985.

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

4 **SECTION 1.** ORS 477.985 is amended to read:

5 477.985. (1) **As used in this section, "enforcement officer" means:**

6 (a) **An employee of the State Forestry Department;**

7 (b) **The State Forester;**

8 (c) **An employee of the State Forester; or**

9 (d) **Any other person authorized to enforce fire protection laws in this state.**

10 (2) *[In addition to any other persons permitted to enforce violations, the State Forestry Department*
11 *and the State Forester, or any employee specifically designated by the department or by the State*
12 *Forester,]* **An enforcement officer** may issue *[citations for violations]* **a citation for a violation**
13 established under ORS 477.993 in the manner provided by ORS chapter 153.

14 (3) **Notwithstanding ORS 153.042, an enforcement officer may issue a citation for a vio-**
15 **lation established under ORS 477.993, in the manner provided by ORS chapter 153, when the**
16 **conduct alleged to constitute a violation did not take place in the presence of the enforce-**
17 **ment officer, if the enforcement officer has reasonable grounds to believe that the conduct**
18 **constitutes a violation on the basis of:**

19 (a) **Information received from any person, including a department employee, forest pro-**
20 **tection association employee or forest protection district employee, who observed the con-**
21 **duct alleged to constitute a violation;**

22 (b) **An investigation at the scene; or**

23 (c) **A witness statement taken as part of an investigation at the scene.**

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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.