

Senate Bill 678

Sponsored by Senator BONHAM (at the request of Senator Noah Robinson) (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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act undoes changes in law by Senate Bill 762 (2021). The changes concern how to class wildfire risk. (Flesch Readability Score: 63.6).

Undoes wildfire protection provisions adopted in Senate Bill 762 (2021).

Declares an emergency, effective July 1, 2025.

A BILL FOR AN ACT

1
2 Relating to wildfire; creating new provisions; amending ORS 197.716, 205.130, 215.291, 215.495,
3 401.025, 477.015, 477.025, 477.027, 477.281, 526.272, 526.360 and 660.320; repealing ORS 401.851,
4 431A.410, 431A.412, 431A.415, 431A.417, 455.612, 455.614, 468A.830, 468A.833, 468A.836, 476.132,
5 476.390, 476.392, 476.394, 476.396, 476.398, 476.687, 476.690, 476.694, 476.696, 476.698, 477.150,
6 477.155, 477.161, 477.490, 477.503, 477.504, 477.698, 477.748, 526.273, 757.960, 757.963, 757.966,
7 757.968, 757.969 and 757.995 and sections 1, 5, 6, 7a, 8c, 12a, 12b, 12d, 14b, 17a, 20, 25a, 27, 29,
8 33a, 37, 38, 39 and 40, chapter 592, Oregon Laws 2021; and declaring an emergency.

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

10 **SECTION 1.** (1) **ORS 401.851, 431A.410, 431A.412, 431A.415, 431A.417, 455.612, 455.614,**
11 **468A.830, 468A.833, 468A.836, 476.132, 476.390, 476.392, 476.394, 476.396, 476.398, 476.687, 476.690,**
12 **476.694, 476.696, 476.698, 477.150, 477.155, 477.161, 477.490, 477.503, 477.504, 477.698, 477.748,**
13 **526.273, 757.960, 757.963, 757.966, 757.968, 757.969 and 757.995 and sections 1, 5, 6, 7a, 8c, 12a,**
14 **12b, 17a, 25a, 27, 29, 33a, 37, 38, 39 and 40, chapter 592, Oregon Laws 2021, are repealed.**

15 (2) **Section 12d, chapter 592, Oregon Laws 2021, as amended by section 10, chapter 611,**
16 **Oregon Laws 2023, is repealed.**

17 (3) **Section 14b, chapter 592, Oregon Laws 2021, as amended by section 2, chapter 85,**
18 **Oregon Laws 2022, is repealed.**

19 (4) **Section 20, chapter 592, Oregon Laws 2021, as amended by section 40, chapter 602,**
20 **Oregon Laws 2023, is repealed.**

21 **SECTION 2.** (1) **ORS 477.015, 477.025 and 477.027 are added to and made a part of sections**
22 **8 to 18 of this 2025 Act.**

23 (2) **Sections 8 to 18 of this 2025 Act are added to and made a part of ORS chapter 477.**

24 **SECTION 3.** ORS 401.025 is amended to read:

25 401.025. As used in this chapter:

26 (1) "Emergency" means a human created or natural event or circumstance that causes or
27 threatens widespread loss of life, injury to person or property, human suffering or financial loss,
28 including but not limited to:

29 (a) Fire, [*wildfire*,] explosion, flood, severe weather, landslides or mud slides, drought, earth-
quake, volcanic activity, tsunamis or other oceanic phenomena, spills or releases of oil or hazardous

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 material as defined in ORS 466.605, contamination, utility or transportation emergencies, disease,
2 blight, infestation, civil disturbance, riot, sabotage, acts of terrorism and war; and

3 (b) A rapid influx of individuals from outside this state, a rapid migration of individuals from
4 one part of this state to another or a rapid displacement of individuals if the influx, migration or
5 displacement results from the type of event or circumstance described in paragraph (a) of this sub-
6 section.

7 (2) "Emergency service agency" means an organization within a local government that performs
8 essential services for the public's benefit before, during or after an emergency, such as law
9 enforcement, fire control, health, medical and sanitation services, public works and engineering,
10 public information and communications.

11 (3) "Emergency services" means activities engaged in by state and local government agencies
12 to prepare for an emergency and to prevent, minimize, respond to or recover from an emergency,
13 including but not limited to coordination, preparedness planning, training, interagency liaison, fire
14 fighting, oil or hazardous material spill or release cleanup as defined in ORS 466.605, law enforce-
15 ment, medical, health and sanitation services, engineering and public works, search and rescue ac-
16 tivities, warning and public information, damage assessment, administration and fiscal management,
17 and those measures defined as "civil defense" in 50 U.S.C. app. 2252.

18 (4) "Local government" has the meaning given that term in ORS 174.116.

19 (5) "Major disaster" means any event defined as a "major disaster" under 42 U.S.C. 5122(2).

20 **SECTION 4.** ORS 526.360 is amended to read:

21 526.360. (1) The State Board of Forestry[,] **and** the State Forester [*and forest protective associ-*
22 *ations*] may assist to the extent [*practical*] **possible** in developing, for forestry, grazing or agricul-
23 tural uses, lands within a forest protection district, as described in ORS 477.205 to 477.281, for such
24 uses, including the burning of brush or other flammable material for the purpose of:

25 (a) Removing a fire hazard to any property;

26 (b) Preparing seed beds;

27 (c) Removing obstructions to or interference with the proper seeding or agricultural or grazing
28 development or use of that land;

29 (d) Promoting the establishment of new forest crops on cutover, denuded or underproductive
30 lands;

31 (e) Implementing pest prevention and suppression activities, as provided in ORS 527.310 to
32 527.370; or

33 (f) Promoting improvements to forest health, including improvements to fish and wildlife habitat.

34 (2) Upon request of the owner or the agent of the owner of lands within a forest protection
35 district, the forester [*or a forest protective association*] may perform or supervise burning operations
36 thereon for any of the purposes stated in subsection (1) of this section. The owner or the agent of
37 the owner shall supply such personnel and equipment and shall perform such fire control actions
38 and activities as the forester [*or forest protective association*] may require while there is danger of
39 the fire spreading. The forester [*or forest protective association*] may refuse to perform or supervise
40 burning or to issue any burning permit when, in the judgment of the forester [*or forest protective*
41 *association*], conditions so warrant.

42 (3) To accomplish the purposes set forth in subsection (1) of this section, the board [*shall*] **may**
43 establish by rule a Certified Burn Manager program.

44 (4) The rules shall include:

45 (a) Certification standards, requirements and procedures;

- 1 (b) Standards, requirements and procedures to revoke certification;
- 2 (c) Actions and activities that a Certified Burn Manager must perform;
- 3 (d) Actions and activities that a Certified Burn Manager may not allow or perform;
- 4 (e) Limitations on the use of a Certified Burn Manager; and
- 5 (f) Any other standard, requirement or procedure that the board considers necessary for the safe
- 6 and effective administration of the program.

7 *[(5) The rules may establish and impose fees for participation in the program.]*

8 *[(6)]* (5) When a burning for any of the purposes stated in subsection (1) of this section on lands
9 within a forest protection district is started under the supervision of and supervised by the
10 forester~~, a forest protective association~~ or a Certified Burn Manager, a person may not be held liable
11 for property damage resulting from that burning unless the damage is caused by the negligence of
12 the person.

13 **SECTION 5.** ORS 477.015 is amended to read:

14 477.015. As used in *[this section and ORS 477.025 and 477.027, “wildland-urban interface” has the*
15 *meaning given that term in rule by the State Board of Forestry.]* **sections 8 to 18 of this 2025 Act,**
16 **unless the context requires otherwise:**

17 (1) **“Committee” means a county forestland-urban interface classification committee.**

18 (2) **“Forestland-urban interface” means a geographic area of forestland inside a forest**
19 **protection district where there exists a concentration of structures in an urban or suburban**
20 **setting.**

21 (3) **“Governing body” means the board of county commissioners or county court of a**
22 **county, as the case may be.**

23 **SECTION 6.** ORS 477.025 is amended to read:

24 477.025. The Legislative Assembly recognizes that the *[wildland-urban]* **forestland-urban** inter-
25 face in Oregon varies by condition, situation, fire hazard and risk, that different *[wildland-urban]*
26 **forestland-urban** interface fire protection problems exist across the state because of this variabil-
27 ity, *[and]* that these different problems necessitate varied fire prevention and protection practices
28 **and that, in order to give recognition to such differences and their effect on the accom-**
29 **plishment of the public policy stated in section 10 of this 2025 Act, certain classifications of**
30 **the forestland-urban interface within this state are established by sections 8 to 18 of this**
31 **2025 Act.**

32 **SECTION 7.** ORS 477.027 is amended to read:

33 477.027. *[(1) By rule, considering national best practices, the State Board of Forestry shall estab-*
34 *lish:]*

35 *[(a) A definition of “wildland-urban interface.”]*

36 *[(b) Criteria by which the wildland-urban interface must be identified and classified.]*

37 *[(2) The criteria:]*

38 *[(a) Must recognize differences across the state in fire hazard, fire risk and structural character-*
39 *istics within the wildland-urban interface.]*

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

41 *[(3) Based on the criteria, the wildland-urban interface must be integrated into the comprehensive*
42 *statewide map described in ORS 477.490.]*

43 **By administrative rule, the State Board of Forestry shall establish criteria by which the**
44 **forestland-urban interface must be identified and classified. The criteria must recognize dif-**
45 **ferences across the state in fire hazard, fire risk and structural characteristics within the**

1 forestland-urban interface. The criteria must include not less than three and not more than
 2 five classes of forestland-urban interface.

3 **SECTION 8.** (1) The Legislative Assembly finds that:

4 (a) The forestland-urban interface situation in Oregon is a result of both past and present
 5 conditions and that, given projected trends, the forestland-urban interface situation will
 6 continue to grow.

7 (b) Urban and suburban structures, real property and natural resources are subject to
 8 increased risks of catastrophic damage by forestland-urban interface fire events.

9 (c) There is greater complexity in forestland-urban interface fire protection than in ei-
 10 ther resource land fire protection or urban structural fire protection.

11 (d) In dealing with the forestland-urban interface situation, major and long-term sol-
 12 utions will involve local actions and efforts by property owners.

13 (e) One solution or set of solutions will not fit all situations or areas of this state.

14 (2) The Legislative Assembly declares that:

15 (a) In order to ensure the protection of human life, the safety of residents and fire ser-
 16 vice personnel and the highest possible level of livability in Oregon, it is necessary to provide
 17 a complete and coordinated fire protection system within the forestland-urban interface in
 18 Oregon.

19 (b) All forestland-urban interface property owners have a basic responsibility to share in
 20 this complete and coordinated protection system by providing efforts against fire.

21 (c) Public and property owner education and awareness is critical to forestland-urban
 22 interface solutions and must occur at multiple levels.

23 (d) In administration of sections 8 to 18 of this 2025 Act, it is the intent of the Legislative
 24 Assembly that property owners who will be affected by sections 8 to 18 of this 2025 Act will
 25 be:

26 (A) Involved in the processes of development of administrative rules pursuant to sections
 27 8 to 18 of this 2025 Act; and

28 (B) Notified of the outcomes of classification pursuant to sections 8 to 18 of this 2025 Act.

29 (3) The purpose of sections 8 to 18 of this 2025 Act is to:

30 (a) Provide a forestland-urban interface fire protection system in Oregon that minimizes
 31 costs and risk while maximizing effectiveness and efficiency for protection of the values at
 32 risk from fire.

33 (b) Promote and encourage property owner efforts to minimize and mitigate fire hazards
 34 and risks within the forestland-urban interface.

35 (c) Promote and encourage the involvement and interaction of all levels of government
 36 and the private sector that have a direct or indirect interest and role in the forestland-urban
 37 interface situation over the long term.

38 **SECTION 9.** (1) The State Forestry Department shall annually report regarding the im-
 39 plementation and enforcement status of property notifications and certifications required
 40 under sections 8 to 18 of this 2025 Act. The report shall include, but need not be limited to:

41 (a) General information concerning progress toward the completion and coordination of
 42 the forestland-urban interface fire protection system, and measures taken to ensure that the
 43 fire protection system minimizes costs and risks and maximizes the effectiveness and effi-
 44 ciency of fire protection;

45 (b) Specific information for each community fire protection system regarding land iden-

1 tification and classification, system review and assessment, efforts to promote and encour-
2 age property owners to minimize and mitigate fire risk, efforts to encourage involvement and
3 participation by government and private sectors and system features to ensure the adequacy
4 of public safety and the protection of property development and natural resources; and

5 (c) Information regarding actions by the department to develop, administer and enforce
6 the fire protection system, including but not limited to any new rules or proposed rules de-
7 veloped for public safety and public education.

8 (2) The department shall make the report, including any recommendations for further
9 legislative action, to:

10 (a) The regular session of the Legislative Assembly, in the manner provided by ORS
11 192.245, no later than June 15 of each odd-numbered year; and

12 (b) An interim committee of the Legislative Assembly relating to natural resources, in
13 the manner provided by ORS 192.245, no later than June 15 of each even-numbered year.

14 **SECTION 10.** (1) The forestland-urban interface in Oregon represents a unique fire pro-
15 tection situation that requires that unique and special measures be taken to ensure adequate
16 public safety and protection of property, development and natural resources. Therefore, it is
17 declared to be the public policy of the State of Oregon to encourage and provide a complete
18 and coordinated forestland-urban interface fire protection system.

19 (2)(a) It is recognized that forestland-urban interface areas are already subject to other
20 laws and to regulations of other agencies. It is the intent of sections 8 to 18 of this 2025 Act
21 to integrate with and not replace those other laws and regulations.

22 (b) In the event of an apparent conflict between the obligations imposed by sections 8 to
23 18 of this 2025 Act and by other laws or regulations for which the State Forester is respon-
24 sible and has jurisdiction, the forester shall resolve the conflict within the scope of the
25 forester's authority.

26 (c) Except as provided in paragraph (d) of this subsection, the obligations imposed by
27 sections 8 to 18 of this 2025 Act do not supersede or replace federal law or regulation, other
28 state law or rules, or more restrictive local government ordinance or code.

29 (d) In the event of an apparent conflict between the obligations imposed by sections 8 to
30 18 of this 2025 Act and a more restrictive local government ordinance or code, the forester
31 may enter into a cooperative agreement with the governing body of a local government, the
32 terms of which provide that sections 8 to 18 of this 2025 Act supersede the local government
33 ordinance or code in specified cases.

34 (e) In the event of an apparent conflict between the obligations imposed by sections 8 to
35 18 of this 2025 Act and the declaration, bylaws, rules or regulations of a homeowners asso-
36 ciation, the forester may enter into a cooperative agreement with the homeowners associ-
37 ation that allows the declaration, bylaws, rules or regulations of the homeowners association
38 to supersede sections 8 to 18 of this 2025 Act in specified cases. The term of a cooperative
39 agreement entered into under this paragraph may not exceed five years.

40 (f) When a real property lot includes one or more structures that have multiple owners,
41 the forester may enter into a cooperative agreement with one or more of the owners, or a
42 person designated as the representative of the owners, for the purposes of matters related
43 to sections 8 to 18 of this 2025 Act. The term of a cooperative agreement entered into under
44 this paragraph may not exceed five years.

45 (g) Compliance with the obligations imposed by sections 8 to 18 of this 2025 Act does not

1 relieve the owner of land of the requirements of other laws or regulations that might apply
2 to the land in question.

3 (3) To encourage development of a complete and coordinated forestland-urban interface
4 fire protection system, it is declared to be in the public interest that the State Board of
5 Forestry and the forester take a lead role in statewide coordination of the forestland-urban
6 interface situation with other state and federal agencies, local governments and private
7 sector interests that are concerned with fire protection in the forestland-urban interface.

8 **SECTION 11.** (1) Pursuant to a request by the State Forester, the governing body of a
9 county containing forestland-urban interface may establish a county forestland-urban inter-
10 face classification committee of five persons, of whom one shall be appointed by the forester,
11 one by the State Fire Marshal and three by the governing body. Of the members appointed
12 by the governing body, one must be an owner of land within the forestland-urban interface
13 who permanently resides on the land. Each appointing authority shall file with the forester
14 the name of its appointee or appointees, and the persons so named shall constitute the
15 committee for the county. Unless otherwise provided for by the appointing authority, mem-
16 bers of the committee shall serve a term of four years and may be reappointed to any
17 number of terms. Each member of the committee at all times is subject to replacement by
18 the appointing authority, effective upon the filing with the forester by that authority of
19 written notice of the name of the new appointee.

20 (2) The committee shall elect from among its members a chair and a secretary and may
21 elect other officers as it finds advisable. The committee shall adopt rules governing its or-
22 ganization and proceedings and the performance of its duties and shall keep written minutes
23 of all its meetings. A quorum of the county forestland-urban interface classification com-
24 mittee for official actions is three members, and a quorum of a committee established pur-
25 suant to subsection (4)(a) of this section is four members.

26 (3) The governing body of the county may provide for the committee and its employees
27 such accommodations and supplies and such county funds not otherwise appropriated as the
28 governing body finds necessary for the proper performance of the committee's functions. The
29 members of the committee shall receive no compensation for their services, but the gov-
30 erning body may reimburse them for their actual and necessary travel and other expenses
31 incurred in the performance of their duties. By written agreement between the forester and
32 the governing body, the State Forestry Department may provide the functions or be re-
33 sponsible for part or all of the expenses referred to in this subsection.

34 (4) In the interest of efficiency, by written agreement between the forester and the gov-
35 erning body, if a forestland classification committee is established and active within a county
36 pursuant to ORS 526.305 to 526.340, the members of that committee may also serve on the
37 county forestland-urban interface classification committee established under subsection (1)
38 of this section. In the event that this agreement is made, the forester and the governing
39 body shall ensure that either:

40 (a) A State Fire Marshal appointee and an owner of land within the forestland-urban
41 interface who permanently resides on the land are added to the county forestland classi-
42 fication committee to bring the total number of committee members to seven; or

43 (b) The State Fire Marshal approves of the current membership of the county forestland
44 classification committee and the committee includes an owner of land within the
45 forestland-urban interface who permanently resides on the land.

1 **SECTION 12.** (1) A county forestland-urban interface classification committee established
2 under section 11 of this 2025 Act shall periodically identify all land to be designated as
3 forestland-urban interface within the county based on the criteria developed pursuant to
4 ORS 477.027.

5 (2) The committee shall assign all forestland-urban interface forestland identified under
6 subsection (1) of this section to one of the forestland-urban interface classes developed pur-
7 suant to ORS 477.027.

8 (3) Before making final designations and classifications under this section, the committee
9 shall adopt proposed designations and classifications. The committee shall publish notice of
10 the proposed designations and classifications once a week for two consecutive weeks in a
11 newspaper of general circulation in the county, to be posted in three public places within the
12 county and to be mailed to the owners of land that is affected by the proposed designations
13 and classifications. The notice shall state the time and place for hearing or receiving ob-
14 jections, remonstrances or suggestions as to the proposed designations and classifications
15 and the place where maps of the proposed designations and classifications may be inspected.

16 **SECTION 13.** (1) A county forestland-urban interface classification committee shall hold
17 a public hearing at the time and place stated in the notice published under section 12 (3) of
18 this 2025 Act, or at such other time and place to which the hearing may be adjourned, to
19 receive from any interested persons objections, remonstrances or suggestions relating to the
20 proposed designations and classifications. Following the hearing, the committee may make
21 such changes in the proposed designations and classifications as it finds to be proper, may
22 hold additional hearings as it finds necessary and thereafter shall make final designations
23 and classifications.

24 (2) All final action by the committee in designating and classifying forestland-urban
25 interface shall be by formal written order, which must include a statement of findings of fact
26 on the basis of which the order is made and must include a list of all land designated and
27 classified. The committee shall prepare one or more maps showing the final designations and
28 classifications made. The original of the order shall be filed with the county clerk of the
29 county. The order need not meet the requirements of ORS 205.232 to be filed and recorded.
30 A copy of the order certified by the secretary of the committee shall be sent to the State
31 Forester.

32 (3) Copies of the order, lists of land and maps required by this section shall be maintained
33 in designated offices of the forester where they shall be made available for public inspection.

34 **SECTION 14.** (1) Any owner of land designated and classified under sections 8 to 18 of this
35 2025 Act who is aggrieved by the designation or classification may, within 30 days after the
36 date of the order making the designation and classification, appeal to the circuit court for
37 the county. Notice of an appeal shall be promptly served on the secretary of the committee
38 or, if the designation and classification was made under section 15 of this 2025 Act, on the
39 State Forester.

40 (2) The appeal shall be tried by the circuit court as an action not triable by right to a
41 jury.

42 **SECTION 15.** (1) The State Forester may designate and classify forestland-urban inter-
43 face, consistent with and as described in sections 12, 13 and 14 of this 2025 Act, if a desig-
44 nation and classification of forestland-urban interface is not made by the county
45 forestland-urban interface classification committee within a county in which such land is

1 situated because:

2 (a) The governing body of the county fails to establish a county forestland-urban inter-
3 face committee within two years after the forester makes a request under section 11 (1) of
4 this 2025 Act;

5 (b) The committee fails to make a designation and classification within five years after
6 being appointed, or the committee fails to make a designation and classification within five
7 years of the last designation and classification made by the committee; or

8 (c) The committee fails to make a designation and classification in a manner consistent
9 with sections 8 to 18 of this 2025 Act.

10 (2) Designation and classification by the forester has the same force and effect as though
11 made by a committee for that county. However, designations and classifications made by the
12 forester cease to be effective if replaced by designations and classifications made pursuant
13 to section 13 of this 2025 Act by the appropriate committee.

14 **SECTION 16.** (1)(a) The State Board of Forestry shall by rule establish minimum stan-
15 dards for minimizing or mitigating:

16 (A) Fire hazards or risks on land within a forestland-urban interface due to the presence
17 of structures or the arrangement or accumulation of vegetative fuels; and

18 (B) Other fire hazards or risks or combinations of fire hazards or risks.

19 (b) In adopting rules under this subsection, the board shall take into account the vari-
20 ability of the forestland-urban interface in different parts of this state.

21 (c) An owner of land within a forestland-urban interface must comply with the minimum
22 standards applicable to the land.

23 (2)(a) Except as provided in paragraph (b) of this subsection, but no more frequently than
24 once every five years, the State Forester shall provide written notice of the applicable mini-
25 mum standards established under this section to each owner of land within a forestland-
26 urban interface, unless the owner requests a copy more frequently.

27 (b) The board need not give notice under paragraph (a) of this subsection to an owner
28 of land if the owner is a member of a homeowners association by reason of owning the land
29 and the forester has entered into a cooperative agreement with the homeowners association
30 pursuant to section 10 (2)(e) of this 2025 Act that provides for notice to owners through the
31 association.

32 (3) An owner of land within a forestland-urban interface must certify in writing to the
33 forester that the owner has complied with the applicable minimum standards established
34 under this section not later than two years after the order designating the land as being
35 within the forestland-urban interface is filed with the county clerk under section 13 (2) of
36 this 2025 Act. If a subsequent order is filed that changes the classification of the land, the
37 owner of the land must make a supplemental certification in writing to the forester that
38 reflects the measures that the owner has taken to comply with the applicable minimum
39 standards established under this section for the new classification not later than six months
40 after the new order is filed.

41 (4) The forester shall accept certifications made to the forester under subsection (3) of
42 this section. Any owner of land whose written certification has been accepted by the forester
43 under this subsection is not liable for the costs of suppressing a fire under subsection (6) of
44 this section, unless the forester subsequently determines that the owner of land has provided
45 a false certification.

1 (5) The State Board of Forestry may require periodic renewal of a certification accepted
 2 by the forester under subsection (4) of this section, and may require supplemental certif-
 3 ications from the owner of land that reflect the measures that the owner has taken to
 4 comply with the applicable minimum standards established under this section. An owner of
 5 land is responsible for maintaining the land described by the certification in compliance with
 6 the applicable minimum standards established under this section.

7 (6) The owner of land designated to be within a forestland-urban interface is liable to the
 8 forester for the costs of suppressing a fire that occurs on that land, as described in sub-
 9 section (7) of this section, if:

10 (a) The owner has failed to meet the applicable minimum standards established under
 11 this section;

12 (b) The fire originates on the owner's land;

13 (c) The ignition or spread of the fire is directly related to the owner's failure to meet the
 14 applicable minimum standards established under this section; and

15 (d) The fire requires action by the forester pursuant to ORS 477.066 (2).

16 (7) The liability of an owner of land under subsection (6) of this section may not exceed
 17 \$100,000. The forester may not seek recovery under subsection (6) of this section for any
 18 portion of the costs of suppressing a fire that are the ordinary costs of the regular personnel
 19 and equipment of the forest protection district in which the land is located. This subsection
 20 does not limit the liability of the owner under ORS 477.120.

21 **SECTION 17.** (1) In determining the annual cost of protection pursuant to ORS 477.230,
 22 the State Forester may consider and include the special or additional cost of fire protection
 23 for property owners within a forestland-urban interface classification, including the special
 24 or unique costs of assessment processing and administration.

25 (2) The forester shall identify special or additional costs identified by subsection (1) of
 26 this section in the budget required by ORS 477.220 to 477.415. These special or additional
 27 costs are in addition to the annual cost of ORS 477.230 (1) and may not exceed \$25 annually
 28 for each real property lot. Only those owners of land within a forestland-urban interface
 29 classification in a forest protection district shall bear the special or additional cost of fire
 30 protection within the forestland-urban interface in a manner consistent with rules
 31 promulgated by the State Board of Forestry.

32 **SECTION 18.** Sections 8 to 18 of this 2025 Act shall be known as the Oregon Forestland-
 33 Urban Interface Fire Protection Act.

34 **SECTION 19.** ORS 197.716 is amended to read:

35 197.716. (1) As used in this section:

36 (a) "Economic opportunity analysis" means an analysis performed by a county that:

37 (A) Identifies the major categories of industrial uses or other employment uses that could rea-
 38 sonably be expected to expand or locate in the county based on a review of trends on a national,
 39 state, regional or county level;

40 (B) Identifies the number of sites by type reasonably expected to be needed to accommodate the
 41 expected employment growth based on the site characteristics typical of expected uses;

42 (C) Estimates the types and amounts of industrial uses and other employment uses likely to oc-
 43 cur in the county based on subparagraphs (A) and (B) of this paragraph and considering the county's
 44 economic advantages and disadvantages, including:

45 (i) Location, size and buying power of markets;

- 1 (ii) Availability of transportation facilities for access and freight mobility;
- 2 (iii) Public facilities and public services;
- 3 (iv) Labor market factors;
- 4 (v) Access to suppliers and utilities;
- 5 (vi) Necessary support services;
- 6 (vii) Limits on development due to federal and state environmental protection laws; and
- 7 (viii) Educational and technical training programs;
- 8 (D) Assesses community economic development potential through a public process in conjunction
- 9 with state agencies and consistent with any categories or particular types of industrial uses and
- 10 other employment uses desired by the community as identified in an existing comprehensive plan;
- 11 (E) Examines existing firms in the county to identify the types of sites that may require expansion;
- 12
- 13 (F) Includes an inventory of vacant and developed lands within the county designated for industrial use or other employment use, including:
- 14
- 15 (i) The description, including site characteristics, of vacant or developed sites within each plan
- 16 or zoning district; and
- 17 (ii) A description of any development constraints or infrastructure needs that affect the
- 18 buildable area of sites in the inventory; and
- 19 (G) Identifies additional potential sites for designation and rezoning that could reasonably accommodate expected industrial uses and other employment uses that cannot be met by existing inventories.
- 20
- 21
- 22 (b) "Industrial use" means industrial employment activities, including manufacturing, assembly,
- 23 fabrication, processing, storage, logistics, warehousing, importation, distribution and transshipment
- 24 and research and development.
- 25 (c) "Listed county" means Baker, Gilliam, Grant, Harney, Lake, Malheur, Sherman, Union,
- 26 Wallowa or Wheeler County.
- 27 (d) "Other employment use" means all nonindustrial employment activities, including small scale
- 28 commercial use, wholesale, service, nonprofit, business headquarters, administrative, governmental
- 29 or employment activities that serve the medical, educational, social service, recreational or security
- 30 industries and that occupy retail, office or flexible building types of any size or multibuilding campuses.
- 31
- 32 (e) "Reasonably be expected to expand or locate in the county" means that the county possesses
- 33 the appropriate locational factors for the use or category of use.
- 34 (f)(A) "Small scale commercial use" means the low-impact use of land primarily for the retail
- 35 sale of products or services, including offices.
- 36 (B) "Small scale commercial use" does not include use of land for factories, warehouses, freight
- 37 terminals or wholesale distribution centers.
- 38 (2) A listed county that has adopted an economic opportunity analysis as part of its comprehensive
- 39 plan may amend its comprehensive plan, land use regulations and zoning map to designate
- 40 not more than 10 sites outside an urban growth boundary that cumulatively total not more than 50
- 41 acres of land if the sites were identified in any economic opportunity analysis as additional potential
- 42 sites for industrial uses or other employment uses in order to allow for industrial uses and other
- 43 employment uses without requiring an exception under ORS 197.732 to any statewide land use
- 44 planning goals related to:
- 45 (a) Agriculture;

- 1 (b) Forest use; or
- 2 (c) Urbanization.
- 3 (3) A county may not designate a site under subsection (2) of this section:
- 4 (a) On any lands designated as high-value farmland as defined in ORS 195.300;
- 5 (b) Unless the county complies with ORS 197.714; and
- 6 (c) If any portion of the proposed site is for lands designated for forest use, unless the county:
- 7 (A) Notifies the State Forester in writing not less than 21 days before designating the site; and
- 8 (B) Cooperates with the State Forester in:
- 9 (i) Updating and classifying [*wildland-urban*] **forestland-urban** interface lands in and around
- 10 the site;
- 11 (ii) Taking necessary steps to implement or update the [*wildland-urban*] **forestland-urban**
- 12 interface fire protection system in and around the site as described in [*ORS 477.027*] **sections 8 to**
- 13 **18 of this 2025 Act**; and
- 14 (iii) Implementing other fire protection measures authorized by the State Forester.
- 15 (4) A county may not amend its comprehensive plan, land use regulations or zoning map under
- 16 this section to allow a use that would conflict with an administrative rule adopted for the purpose
- 17 of implementing the Oregon Sage-Grouse Action Plan and Executive Order 15-18.
- 18 **SECTION 20.** ORS 205.130 is amended to read:
- 19 205.130. The county clerk shall:
- 20 (1) Have the custody of, and safely keep and preserve, all files and records of deeds and mort-
- 21 gages of real property and a record of all maps, plats, contracts, powers of attorney and other in-
- 22 terests affecting the title to real property required or permitted by law to be recorded.
- 23 (2) Record, or cause to be recorded, in a legible and permanent manner, and keep in the office
- 24 of the county clerk, all:
- 25 (a) Deeds and mortgages of real property, powers of attorney and contracts affecting the title
- 26 to real property, authorized by law to be recorded, assignments thereof and of any interest therein
- 27 when properly acknowledged or proved and other interests affecting the title to real property re-
- 28 quired or permitted by law to be recorded;
- 29 (b) Certificates of sale of real property under execution or order of court, or assignments of
- 30 previously recorded certificates or of any interest in real property, when properly acknowledged or
- 31 proved;
- 32 (c) Certified copies of death records of any person appearing in the county records as owning
- 33 or having a claim or interest in land in the county. A certified copy of a death record recorded in
- 34 the deed records of a county under this subsection is a public record and is not subject to the dis-
- 35 closure limitations under ORS 432.350;
- 36 (d) Instruments presented for recording by the United States or the State of Oregon, or a poli-
- 37 tical subdivision of either, that affect title to or an interest in real property or that lawfully concern
- 38 real property; [*and*]
- 39 (e) Instruments recognized under state law or rule or federal law or regulation as affecting title
- 40 to or an interest in real property if the instrument is properly acknowledged or proved[.]; **and**
- 41 **(f) Orders from a county forestland-urban interface classification committee filed under**
- 42 **section 13 of this 2025 Act.**
- 43 (3) Keep and maintain:
- 44 (a) Deed and mortgage records;
- 45 (b) Statutory lien records;

1 (c) A record called the County Clerk Lien Record in which the following shall be recorded:

2 (A) The warrants and orders of officers and agencies that are required or permitted by law to
3 be recorded; and

4 (B) All instruments presented for recordation when required or permitted by law to be recorded
5 that affect the title to or an interest in real property, other than instruments recorded in the deed
6 and mortgage records or the statutory lien records;

7 (d) Releases, satisfactions, assignments, amendments and modifications of recorded instruments;
8 and

9 (e) Other instruments required or permitted by law to be recorded not affecting interests in real
10 property.

11 (4) Perform all the duties in regard to the recording and indexing of deeds and mortgages of real
12 property, contracts, abstracts of judgments, notices of pendency, powers of attorney and other in-
13 terests when required or permitted by law to be recorded that affect the title of real property, and
14 in regard to the entry of satisfaction and discharge of the same, together with other documents re-
15 quired or permitted by law to be recorded.

16 (5) Incur no civil or criminal liability, either personally or in an official capacity, for recording
17 an instrument that does not comply with the provisions of law that require or allow the recording
18 of the instrument.

19 **SECTION 21.** ORS 215.291 is amended to read:

20 215.291. (1) A lawfully established dwelling may be altered, restored or replaced under ORS
21 215.213 (1)(q), 215.283 (1)(p) or 215.755 (1) if the county determines that the dwelling to be altered,
22 restored or replaced:

23 (a) Has, or formerly had:

24 (A) Intact exterior walls and roof structure;

25 (B) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a
26 sanitary waste disposal system;

27 (C) Interior wiring for interior lights; and

28 (D) A heating system; and

29 (b)(A) Unless the value of the dwelling was eliminated as a result of destruction or demolition,
30 was assessed as a dwelling for purposes of ad valorem taxation since the later of:

31 (i) Five years before the date of the application; or

32 (ii) The date that the dwelling was erected upon or fixed to the land and became subject to
33 property tax assessment; or

34 (B) If the value of the dwelling was eliminated as a result of destruction or demolition, was as-
35 sessed as a dwelling for purposes of ad valorem taxation prior to the destruction or demolition and
36 since the later of:

37 (i) Five years before the date of the destruction or demolition; or

38 (ii) The date that the dwelling was erected upon or fixed to the land and became subject to
39 property tax assessment.

40 (2) For replacement of a lawfully established dwelling under this section:

41 (a) The dwelling to be replaced must be removed, demolished or converted to an allowable
42 nonresidential use within three months after the date the replacement dwelling is certified for oc-
43 cupancy pursuant to ORS 455.055.

44 (b) The replacement dwelling:

45 (A) May be sited on any part of the same lot or parcel.

1 (B) Must comply with applicable siting standards. However, the standards may not be applied
 2 in a manner that prohibits the siting of the replacement dwelling.

3 (C) Must comply with the construction provisions of section R327 of the Oregon Residential
 4 Specialty Code[, if:].

5 *[(i) The dwelling is in an area identified as extreme or high wildfire risk on the statewide map of*
 6 *wildfire risk described in ORS 477.490; or]*

7 *[(ii) No statewide map of wildfire risk has been adopted.]*

8 (c) As a condition of approval, if the dwelling to be replaced is located on a portion of the lot
 9 or parcel that is not zoned for exclusive farm use, the applicant shall execute and cause to be re-
 10 corded in the deed records of the county in which the property is located a deed restriction pro-
 11 hibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed
 12 is irrevocable unless the county planning director, or the director’s designee, places a statement of
 13 release in the deed records of the county to the effect that the provisions of this section and either
 14 ORS 215.213 or 215.283 regarding replacement dwellings have changed to allow the lawful siting of
 15 another dwelling.

16 (3) The county planning director, or the director’s designee, shall maintain a record of the lots
 17 and parcels that do not qualify for the siting of a new dwelling under subsection (2) of this section,
 18 including a copy of the deed restrictions filed under subsection (2)(c) of this section.

19 (4) If an applicant is granted a deferred replacement permit under this section:

20 (a) The deferred replacement permit:

21 (A) Does not expire but the permit becomes void unless the dwelling to be replaced is removed
 22 or demolished within three months after the deferred replacement permit is issued; and

23 (B) May not be transferred, by sale or otherwise, except by the applicant to the spouse or a
 24 child of the applicant.

25 (b) The replacement dwelling must comply with applicable building codes, plumbing codes, san-
 26 itation codes and other requirements relating to health and safety or to siting at the time of con-
 27 struction.

28 (5) An application under this section must be filed within three years following the date that the
 29 dwelling last possessed all the features listed under subsection (1)(a) of this section.

30 (6) Construction of a replacement dwelling approved under this section must commence no later
 31 than four years after the approval of the application under this section becomes final.

32 **SECTION 22.** ORS 477.281 is amended to read:

33 477.281. (1) The obligation of an owner of timberland or grazing land for payment of assessments
 34 and taxes for fire protection of forestland is limited to:

35 (a) The payment of moneys pursuant to ORS 321.015 (2), 477.277, 477.295, 477.760 (4) and 477.880
 36 to maintain the Oregon Forest Land Protection Fund; and

37 (b) The payment of forest protection district assessments pursuant to ORS 477.205 to 477.281
 38 **and section 17 of this 2025 Act.**

39 (2) As used in this section, “obligation of an owner of timberland or grazing land for payment
 40 of assessments and taxes for fire protection of forestland” does not include the duties or obligations
 41 of the owner under ORS 477.066, 477.068 or 477.120 or the obligations of an owner of land included
 42 in a rural fire protection district pursuant to ORS 478.010.

43 **SECTION 23.** ORS 215.495 is amended to read:

44 215.495. (1) As used in this section:

45 (a) “Accessory dwelling unit” has the meaning given that term in ORS 215.501.

1 (b) “Area zoned for rural residential use” has the meaning given that term in ORS 215.501.

2 (c) “Single-family dwelling” has the meaning given that term in ORS 215.501.

3 (2) Consistent with a county’s comprehensive plan, a county may allow an owner of a lot or
4 parcel within an area zoned for rural residential use to construct one accessory dwelling unit on the
5 lot or parcel, provided:

6 (a) The lot or parcel is not located within an area designated as an urban reserve as defined in
7 ORS 197A.230;

8 (b) The lot or parcel is at least two acres in size;

9 (c) One single-family dwelling is sited on the lot or parcel;

10 (d) The existing single-family dwelling property on the lot or parcel is not subject to an order
11 declaring it a nuisance or subject to any pending action under ORS 105.550 to 105.600;

12 (e) The accessory dwelling unit will comply with all applicable laws and regulations relating to
13 sanitation and wastewater disposal and treatment;

14 (f) The accessory dwelling unit will not include more than 900 square feet of usable floor area;

15 (g) The accessory dwelling unit will be located no farther than 100 feet from the existing
16 single-family dwelling;

17 (h) If the water supply source for the accessory dwelling unit or associated lands or gardens
18 will be a well using water under ORS 537.545 (1)(b) or (d), no portion of the lot or parcel is within
19 an area in which new or existing ground water uses under ORS 537.545 (1)(b) or (d) have been re-
20 stricted by the Water Resources Commission;

21 (i) No portion of the lot or parcel is within a designated area of critical state concern;

22 (j) The lot or parcel is served by a fire protection service provider with professionals who have
23 received training or certification described in ORS 181A.410;

24 (k) *[If the lot or parcel is in an area identified on the statewide wildfire hazard map described in*
25 *ORS 477.490 as within the wildland-urban interface,]* The lot or parcel and accessory dwelling unit
26 comply with *[any applicable minimum defensible space requirements for wildfire risk reduction estab-*
27 *lished by the State Fire Marshal under ORS 476.392 and any applicable local requirements for*
28 *defensible space established by a local government pursuant to ORS 476.392]* **rules of the State**
29 **Board of Forestry under sections 8 to 18 of this 2025 Act;**

30 (L) The accessory dwelling unit complies with the construction provisions of section R327 of the
31 Oregon Residential Specialty Code, *if:*; **and**

32 *[(A) The lot or parcel is in an area identified as a high wildfire hazard zone on the statewide*
33 *wildfire hazard map described in ORS 477.490; or]*

34 *[(B) No statewide wildfire hazard map has been adopted; and]*

35 (m) The county has adopted land use regulations that ensure that:

36 (A) The accessory dwelling unit has adequate setbacks from adjacent lands zoned for resource
37 use;

38 (B) The accessory dwelling unit has adequate access for firefighting equipment, safe evacuation
39 and staged evacuation areas; and

40 (C) If the accessory dwelling unit is not *[in an area identified on the statewide wildfire hazard*
41 *map described in ORS 477.490 as within the wildland-urban interface]* **subject to sections 8 to 18**
42 **of this 2025 Act**, the accessory dwelling unit *[complies with the provisions of this section and any*
43 *applicable local requirements for defensible space established by a local government pursuant to ORS*
44 *476.392]* **has defensible space and fuel break standards as developed in consultation with local**
45 **fire protection service providers.**

1 (3) A county may not allow an accessory dwelling unit allowed under this section to be used for
2 vacation occupancy, as defined in ORS 90.100.

3 (4) A county that allows construction of an accessory dwelling unit under this section may not
4 approve:

5 (a) A subdivision, partition or other division of the lot or parcel so that the existing single-family
6 dwelling is situated on a different lot or parcel than the accessory dwelling unit.

7 (b) Construction of an additional accessory dwelling unit on the same lot or parcel.

8 (5) A county may require that an accessory dwelling unit constructed under this section be
9 served by the same water supply source or water supply system as the existing single-family dwell-
10 ing, provided such use is allowed for the accessory dwelling unit by an existing water right or a use
11 under ORS 537.545. If the accessory dwelling unit is served by a well, the construction of the ac-
12 cessory dwelling unit shall maintain all setbacks from the well required by the Water Resources
13 Commission or Water Resources Department.

14 (6) An existing single-family dwelling and an accessory dwelling unit allowed under this section
15 are considered a single unit for the purposes of calculating exemptions under ORS 537.545 (1).

16 (7) Nothing in this section requires a county to allow any accessory dwelling units in areas
17 zoned for rural residential use or prohibits a county from imposing any additional restrictions on
18 accessory dwelling units in areas zoned for rural residential use, including restrictions on the con-
19 struction of garages and outbuildings that support an accessory dwelling unit.

20 **SECTION 24.** ORS 526.272 is amended to read:

21 526.272. (1) The State Forestry Department shall:

22 (a) In collaboration with any forest protective association or agency that is under contract or
23 agreement with the State Board of Forestry for the protection of forestland against fire, and whose
24 protection area is or may be affected by a fire on nearby federal lands, and with a focus on pro-
25 tecting lands and rural communities within the [*wildland-urban*] **forestland-urban** interface, as de-
26 fined pursuant to ORS [*477.027*] **477.015**, from fire on federal lands, endeavor to further shared
27 stewardship to decrease wildfire risk across Oregon through increased partnership with federal
28 agencies to expand activities under the Good Neighbor Authority Agreement described in ORS
29 526.275 in federal forests through:

30 (A) Increasing forest thinning.

31 (B) Reducing ladder fuels and other hazardous fuel loading.

32 (C) Restoring meadowland.

33 (D) Increasing biomass utilization.

34 (E) Increasing post-disturbance recovery and restoration activities.

35 (b) Request that the federal agencies fund portions of the activities described in paragraph (a)
36 of this subsection.

37 (2) Activities undertaken pursuant to subsection (1) of this section must be executed in a manner
38 that protects and enhances the long-term ecological health of a landscape, in conformance with the
39 most broadly accepted scientific principles of forestry.

40 **SECTION 25.** ORS 660.320 is amended to read:

41 660.320. (1) There is created in the Higher Education Coordinating Commission the Oregon
42 Youth Works Advisory Board. The purpose of the advisory board is to provide advice on and over-
43 sight of the implementation and alignment of youth workforce development programs for which the
44 commission is responsible, including but not limited to:

45 (a) The Oregon Youth Corps created under ORS 418.653; **and**

1 *[(b) The Oregon Conservation Corps Program established under ORS 476.694; and]*

2 *[(c)] (b) The Oregon Youth Employment Program created under ORS 660.353.*

3 (2) The Governor, in consultation with the commission, shall determine the number of members
4 on the advisory board. In determining the number of members on the advisory board, the Governor
5 shall ensure that membership consists of at least seven but not more than 12 members.

6 (3) The Governor shall appoint the members of the advisory board. The members must be resi-
7 dents of this state who reflect the geographic, racial, ethnic and gender diversity of this state and
8 who have necessary experience that will enable the advisory board to meaningfully advise the
9 commission on topics including, but not limited to:

10 (a) Career-connected learning that provides learners with career awareness, exploration, prepa-
11 ration and training in connection with professional and industry-based expectations;

12 (b) Development of career pathways;

13 (c) Youth education programs;

14 (d) Workforce development programs;

15 (e) Rural workforce needs; and

16 (f) Workforce issues affecting underrepresented communities.

17 (4) The advisory board must include representation from:

18 (a) The forestry or wildfire sector;

19 (b) The natural resources sector;

20 (c) Workforce sectors that are experiencing workforce demands;

21 (d) Communities in which the *[wildland-urban]* **forestland-urban** interface, **as defined in ORS**
22 **477.015**, faces a high risk of wildfire exposure;

23 (e) Underrepresented communities, including communities of color, rural communities and com-
24 munities that have faced generational poverty or other communities that have been historically
25 underrepresented in youth employment as determined by the commission by rule;

26 (f) Tribal communities; and

27 (g) Local workforce development boards.

28 (5) Members of the advisory board serve for a term of four years at the pleasure of the Gover-
29 nor.

30 (6) Members may not receive compensation for service on the advisory board, but, subject to
31 any applicable laws regulating travel and other expenses of state officers and employees, may be
32 reimbursed for actual and necessary travel and other expenses incurred in the performance of offi-
33 cial duties, as provided in ORS 292.495, with moneys available to the advisory board for the purpose
34 of reimbursing members.

35 (7) The commission shall provide the advisory board with necessary staff support.

36 **SECTION 26. Any moneys remaining in the Community Risk Reduction Fund and the**
37 **Oregon Conservation Corps Fund on the effective date of this 2025 Act that are unexpended,**
38 **unobligated and not subject to any conditions shall revert to the General Fund.**

39 **SECTION 27. The Public Utility Commission, State Board of Forestry, State Fire Mar-**
40 **shal, Oregon Health Authority, State Forestry Department and State Forester shall amend**
41 **existing rules and adopt new rules as necessary to comply with the repeal of statutes and**
42 **session law by section 1 of this 2025 Act and the amendments to ORS 197.716, 205.130, 215.291,**
43 **401.025, 477.015, 477.025, 477.027, 477.281, 526.272, 526.360 and 660.320 by sections 3 to 7 and 19**
44 **to 21 of this 2025 Act.**

45 **SECTION 28. This 2025 Act being necessary for the immediate preservation of the public**

1 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
2 **July 1, 2025.**
3 _____