

# House Bill 3484

Sponsored by COMMITTEE ON EMERGENCY MANAGEMENT, GENERAL GOVERNMENT, AND VETERANS (at the request of Oregon State Fire Marshal)

## 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**.

Establishes State Fire Marshal Firefighting Costs Fund. Provides that Department of the State Fire Marshal may expend moneys from fund, without limitation, for eligible firefighting costs and reimbursements to firefighting organizations. Provides that balance of fund reverts to General Fund on biennial basis.

Directs department to request appropriation for State Fire Marshal Firefighting Costs Fund in biennial agency request budget in amount based on average expenditures by department over previous five years. Directs Legislative Assembly to appropriate moneys for deposit in fund.

Directs department to submit to standing or interim Joint Committee on Ways and Means biennial report on deposits and expenditures from fund.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to firefighting costs; creating new provisions; amending ORS 476.055; and declaring an  
3 emergency.

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

5 **SECTION 1. Sections 2 to 4 of this 2023 Act are added to and made a part of ORS chapter**  
6 **476.**

7 **SECTION 2. (1)(a) The State Fire Marshal Firefighting Costs Fund is established in the**  
8 **State Treasury, separate and distinct from the General Fund.**

9 **(b) The State Fire Marshal Firefighting Costs Fund consists of moneys appropriated by**  
10 **the Legislative Assembly for deposit in the fund pursuant to section 3 of this 2023 Act, fed-**  
11 **eral grant funds received by the Department of the State Fire Marshal from the Federal**  
12 **Emergency Management Agency, and other moneys appropriated, allocated, deposited or**  
13 **transferred to the fund by the Legislative Assembly or otherwise.**

14 **(c) Moneys in the fund are continuously appropriated to the department for eligible**  
15 **firefighting costs incurred by the department and reimbursements pursuant to ORS 476.560.**

16 **(d) Expenditures from the fund shall not be considered as a budget item on which a**  
17 **limitation is otherwise fixed by law, but shall be in addition to any specific biennial appro-**  
18 **priations or amounts authorized to be expended from continuously appropriated moneys for**  
19 **any biennial period.**

20 **(2) As used in this section, "eligible firefighting costs" means expenses incurred for re-**  
21 **sponding to wildfires in Oregon and pre-positioning activities.**

22 **SECTION 3. (1) In each biennium, the Department of the State Fire Marshal shall, in its**  
23 **agency request budget filed under ORS 291.208, request an appropriation for deposit in the**  
24 **State Fire Marshal Firefighting Costs Fund in an amount equal to twice the average annual**  
25 **expenditures by the department for eligible firefighting costs and reimbursements pursuant**  
26 **to ORS 476.560 in the previous five years.**

**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       (2) Each biennium, the Legislative Assembly shall appropriate moneys for deposit in the  
2 fund in an amount not less than the amount requested by the department under subsection  
3 (1) of this section.

4       (3) On July 1 of each odd-numbered year, the department shall cause the balance of the  
5 fund to be transferred to the General Fund for general governmental purposes.

6       (4) As used in this section, “eligible firefighting costs” has the meaning given that term  
7 in section 2 of this 2023 Act.

8       **SECTION 4.** On or before March 31 of each odd-numbered year, the Department of the  
9 State Fire Marshal shall report to the standing or interim Joint Committee on Ways and  
10 Means on the following matters:

11       (1) The amounts deposited in the State Fire Marshal Firefighting Costs Fund, from any  
12 source, within the current biennium;

13       (2) Actual and anticipated expenditures from the fund within the current biennium; and

14       (3) The anticipated amount to be transferred to the General Fund on the following July  
15 1 pursuant to section 3 of this 2023 Act.

16       **SECTION 5.** For the biennium beginning July 1, 2023, the Legislative Assembly shall ap-  
17 propriate moneys for deposit in the State Fire Marshal Firefighting Costs Fund in an amount  
18 equal to twice the average annual expenditures by the Department of the State Fire Marshal  
19 for eligible firefighting costs as defined in section 2 of this 2023 Act, and for reimbursements  
20 pursuant to ORS 476.560, in the previous five years.

21       **SECTION 6.** Section 5 of this 2023 Act is repealed on June 30, 2025.

22       **SECTION 7.** ORS 476.055 is amended to read:

23       476.055. (1) All moneys received by the Department of the State Fire Marshal shall be paid into  
24 the State Treasury, and shall be placed by the State Treasurer to the credit of the State Fire Mar-  
25 shal Fund, except those moneys received and accounted for under the provisions of ORS 279A.290  
26 and sections 2 and 3 of this 2023 Act.

27       (2) Except as otherwise provided by this section, moneys in the State Fire Marshal Fund shall  
28 be available and constitute a continuing appropriation for the payment of any expense of the de-  
29 partment and for the payment of expenses of the Department of Public Safety Standards and Train-  
30 ing and the Board on Public Safety Standards and Training relating to training programs concerning  
31 fire services and accreditation of fire service professionals. The Department of the State Fire Mar-  
32 shal shall keep on file an itemized statement of all expenses incurred by the department and shall  
33 approve all disbursements as submitted for payment. Administrative expenditures made from the  
34 State Fire Marshal Fund shall not exceed a reasonable amount for the services performed.

35       **SECTION 8.** This 2023 Act being necessary for the immediate preservation of the public  
36 peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect  
37 on its passage.

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