

**Enrolled**  
**Senate Bill 864**

Sponsored by Senators HANSELL, WOODS; Senators FINDLEY, HAYDEN, MANNING JR, SMITH  
DB, Representatives BOICE, HIEB, MORGAN, STOUT

CHAPTER .....

AN ACT

Relating to voluntarily fighting fire; amending ORS 477.123.

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

**SECTION 1.** ORS 477.123 is amended to read:

477.123. (1) As used in this section:

(a) "Voluntarily" means not undertaken as a condition of employment or with an expectation of remuneration.

(b) "Wildfire" means a fire burning uncontrolled:

**(A) On private forestland;**

**(B) On private cropland, pasture, rangeland or other private agricultural land; or**

**(C) That threatens** [*threatening*] a structure on agricultural land.

(2) Except as provided in subsection (4) of this section, a person [*that*] **who** voluntarily undertakes the fighting of a wildfire is not civilly liable for any injury to person or property resulting from the good faith performance of firefighting efforts.

(3) Subsection (2) of this section applies to the performance of firefighting efforts that commence when the person arrives at the fire scene or a staging area and end when the person departs from the fire scene or staging area.

(4) Subsection (2) of this section does not apply to:

(a) Members of a volunteer fire department or fire district who have been trained in firefighting techniques; or

(b) The operation of a motor vehicle by a person.

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**Passed by Senate April 4, 2023**

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

**Passed by House April 27, 2023**

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Dan Rayfield, Speaker of House

**Received by Governor:**

.....M,....., 2023

**Approved:**

.....M,....., 2023

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Tina Kotek, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2023

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Shemia Fagan, Secretary of State