

SB 509-2  
(LC 1806)  
3/3/23 (AG/ps)

Requested by SENATE COMMITTEE ON NATURAL RESOURCES

**PROPOSED AMENDMENTS TO  
SENATE BILL 509**

1 In line 2 of the printed bill, after “risk” insert “; creating new provisions;  
2 amending ORS 476.390 and 476.398; and declaring an emergency”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. In pursuing the overarching objective of reducing the  
5 number and intensity of catastrophic wildfires, it is the policy of the  
6 State of Oregon:**

7 **“(1) To assist communities and property owners in implementing  
8 wildfire risk reduction activities;**

9 **“(2) To expand programs to serve wildfire-prone communities across  
10 this state as rapidly as available resources allow; and**

11 **“(3) To coordinate efforts across this state so as to optimize the  
12 effectiveness and cost-efficiency of wildfire-related programs.**

13 **“SECTION 2. The State Fire Marshal shall:**

14 **“(1) Establish a grant and incentive program that supports com-  
15 munities, counties and the public in reducing wildfire risk and prior-  
16 itizes need-based applicants.**

17 **“(2) Establish grant procedures by rule.**

18 **“SECTION 3. (1) The State Fire Marshal shall establish a neigh-  
19 borhood protection cooperative program to coordinate, streamline and  
20 improve Oregon programs that assist with reducing wildfire risks  
21 around buildings and in neighborhoods, through on-site consultations**

1 and cooperative practices.

2 “(2) As part of the program, the State Fire Marshal shall develop  
3 a training curriculum for on-site consultants who may visit properties  
4 and recommend best practices.

5 “(3) The State Fire Marshal may conduct the training for on-site  
6 consultants described in subsection (2) of this section or contract for  
7 a person or entity to conduct the training.

8 “(4) The State Fire Marshal shall assist with making the on-site  
9 consultants described in subsection (2) of this section available to as-  
10 sist property owners.

11 “(5) To implement the program, the State Fire Marshal shall:

12 “(a) Adopt rules.

13 “(b) Hold public hearings in at least six communities in this state  
14 that have high exposure to wildfire.

15 “(c) Identify, through rules, opportunities for collaboration or co-  
16 ordination with all state agencies that have programs and personnel  
17 focused on wildfire prevention in communities.

18 “(d) Coordinate with state agencies to maximize efficiencies in re-  
19 ceiving, processing and expending nonstate funding related to reducing  
20 wildfire risk.

21 “(6) The State Fire Marshal may enter into memoranda of under-  
22 standing to facilitate the coordination described in subsection (5) of  
23 this section.

24 “(7) When adopting rules and implementing the program, the State  
25 Fire Marshal shall prioritize collaborating with various groups, in-  
26 cluding:

27 “(a) Local governments and special districts.

28 “(b) Tribal governments.

29 “(c) Fire departments and districts.

30 “(d) Nonprofit organizations that are involved in community or-

1 **ganizing or managing vegetation susceptible to wildfire.**

2 **“(e) The State Forestry Department.**

3 **“(f) The Oregon State University Extension Service Fire Program.**

4 **“(g) The Building Codes Division of the Department of Consumer**  
5 **and Business Services.**

6 **“(h) The Division of Financial Regulation of the Department of**  
7 **Consumer and Business Services.**

8 **“(i) The Higher Education Coordinating Commission.**

9 **“(j) The Wildfire Programs Advisory Council.**

10 **“(k) Consumer-owned and investor-owned utilities.**

11 **“SECTION 4. (1) The State Fire Marshal shall expand the online**  
12 **presence of the Department of the State Fire Marshal to include a**  
13 **central, user-friendly website that clearly describes all programs,**  
14 **grant opportunities and citizen input processes related to the commu-**  
15 **nity risk reduction program described in section 1 of this 2023 Act,**  
16 **with the aim of maximizing convenience for persons seeking relevant**  
17 **information and services across multiple agencies and organizations.**

18 **“(2) The website described in subsection (1) of this section must**  
19 **include:**

20 **“(a) A description of all opportunities for accessing resources that**  
21 **relate to the activities of the community risk reduction program, in-**  
22 **cluding links to all relevant application materials.**

23 **“(b) The dates of all scheduled public meetings to discuss the ac-**  
24 **tivities of the community risk reduction program, and information on**  
25 **how to join the meetings online.**

26 **“(c) Information on how to be added to any lists through which are**  
27 **announced future relevant grant opportunities and public meetings.**

28 **“(d) Instructions on how and when persons are able to submit**  
29 **comments on rulemaking and other decision processes related to ac-**  
30 **tivities under the community risk reduction program.**

1       “(e) Maps and other graphic materials related to activities under  
2 the community risk reduction program.

3       “(f) Information on existing and forthcoming building code and  
4 defensible space requirements that impact activities under the com-  
5 munity risk reduction program.

6       “(g) Insurance information related to wildfire risk reduction.

7       “(h) Information on organizing activities under the neighborhood  
8 protection cooperative program described in section 3 of this 2023 Act.

9       “(i) Links to relevant informational and educational materials.

10       “SECTION 5. In consultation with relevant state agencies, counties,  
11 community organizations, fire service providers and other partners,  
12 the State Fire Marshal shall develop a 20-year strategic plan that pri-  
13 oritizes fire resiliency and building fire-adapted communities.

14       “SECTION 6. (1) The State Fire Marshal shall establish an intera-  
15 gency data collection system to enable cooperation on wildfire risk  
16 reduction investments related to services and activities under the  
17 community risk reduction program described in section 1 of this 2023  
18 Act.

19       “(2) The system must be designed to enable more effective planning,  
20 monitoring and evaluation of the community risk reduction program.

21       “SECTION 7. ORS 476.398 is amended to read:

22       “476.398. (1) The State Fire Marshal shall biannually report regarding the  
23 status of State Fire Marshal and local government activities for carrying out  
24 ORS 476.392 and sections 1, 2, 3 and 4 of this 2023 Act to a committee or  
25 interim committee of the Legislative Assembly related to wildfire, in the  
26 manner provided in ORS 192.245, to the State Wildfire Programs Director and  
27 to the Wildfire Programs Advisory Council:

28       “(a) On or before the date of convening of the regular session of the  
29 Legislative Assembly as specified in ORS 171.010.

30       “(b) Approximately six months after the date described in paragraph (a)

1 of this subsection.

2 “(2) The report shall include, but need not be limited to:

3 “(a) A status report regarding community risk reduction and the estab-  
4 lishment, administration and enforcement of defensible space requirements;

5 “(b) The amount of moneys expended during the year for community risk  
6 reduction and the establishment, administration or enforcement of defensible  
7 space requirements;

8 “(c) **Information about the number, amounts, geographic distrib-**  
9 **ution and categories of awards of financial assistance made under the**  
10 **program described in section 2 of this 2023 Act, including awards of**  
11 **funding from federal, state and other sources;**

12 “(d) **Recommendations for enhancing and leveraging opportunities**  
13 **for nonstate funding;**

14 “(e) **Recommendations on how to improve wildfire risk reduction**  
15 **capacity, regional collaboration, neighborhood protection cooperatives**  
16 **and community risk reduction organizational efficiencies;**

17 “(f) **Information about any barriers to completing the work sup-**  
18 **ported by awards of funding under section 2 of this 2023 Act;**

19 “[*c*] (g) The amount of moneys expended during the year for the sup-  
20 pression of fires on wildland-urban interface lands; and

21 “[*d*] (h) Any recommendations of the State Fire Marshal for legislative  
22 action, including, but not limited to, current or future resource and funding  
23 needs for community risk reduction and establishing, administering or en-  
24 forcing defensible space requirements.

25 “**SECTION 8.** ORS 476.390 is amended to read:

26 “476.390. As used in ORS 476.392, [*and*] 476.394, **476.398 and section 4**  
27 **of this 2023 Act**, ‘defensible space’ means a natural or human-made area in  
28 which material capable of supporting the spread of fire has been treated,  
29 cleared or modified to slow the rate and intensity of advancing wildfire and  
30 allow space for fire suppression operations to occur.

1       **“SECTION 9. In addition to and not in lieu of any other appropri-**  
2 **ation, there is appropriated to the State Fire Marshal, for the**  
3 **biennium beginning July 1, 2023, out of the General Fund, the amount**  
4 **of \$10,000,000, for deposit in the Community Risk Reduction Fund es-**  
5 **tablished by ORS 476.396, which may be expended for purposes de-**  
6 **scribed in section 2 of this 2023 Act.**

7       **“SECTION 10. This 2023 Act being necessary for the immediate**  
8 **preservation of the public peace, health and safety, an emergency is**  
9 **declared to exist, and this 2023 Act takes effect on its passage.”.**

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