

HB 3172 -2 STAFF MEASURE SUMMARY

House Committee On Climate, Energy, and Environment

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/6

WHAT THE MEASURE DOES:

The measure requires the Oregon Department of the State Fire Marshal (OSFM), in collaboration with the Department of Consumer and Business Services, to establish and implement the **Wildfire Prepared Structure Program** grant program to facilitate the retrofitting certain dwellings and structures to be resistant and resilient to wildfire. Appropriates \$_____ out of the General Fund to OSFM for carrying out the Program.

Detailed summary:

SECTION 1

Requires the Oregon Department of the State Fire Marshal (OSFM), in collaboration with the Department of Consumer and Business Services, to establish and implement the **Wildfire Prepared Structure Program** grant program (Program) to facilitate the retrofitting of existing dwellings and accessory structures, as well as dwellings and accessory structures constructed following wildfire damage, to be resistant and resilient to wildfire. Requires OSFM, in implementing the Program, to:

- Publish a list of eligible retrofits and materials that reduce the vulnerability of structures to wildfire and flying embers, as identified in section R327 of the Oregon Residential Specialty Code or other relevant industry best practices and standards.
- Determine the relative cost-effectiveness of the retrofits and materials.
- Determine which entities are eligible to apply for and administer moneys awarded under the program.
- Establish ranking and criteria for awarding grants that include a preference for projects that meet certain criteria.
- Establish a format by which grant recipients and persons administering the grant must report to the State Fire Marshal.

Requires grant recipient or person administering a grant to take certain actions. Allows OSFM to adopt rules as needed to implement this section, in consultation with other agencies, local governments, nongovernmental organizations, and the Wildfire Programs Advisory Council.

SECTION 2

Appropriates out of the General Fund to OSFM for the biennium beginning July 1, 2025, the amount of \$_____, for carrying out the Program. Declares an emergency, effective on passage.

- *FISCAL: May have fiscal impact, but no statement issued yet*
- *REVENUE: May have revenue impact, but no statement issued yet*

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 The amendment modifies eligibility and award criteria for grants that the Oregon Department of the State Fire Marshal needs to establish in implementing the Wildfire Prepared Structure Program grant program.

Detailed summary:

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Stipulates that grant moneys are available to retrofitting of dwellings existing on the effective date of this Act. Removes **accessory structures** from eligible dwellings that can be retrofitted following wildfire damage. Specifies that Oregon Department of the State Fire Marshal (OSFM) is required to award individual grants to persons and block grants to counties for the counties to award as individual grants to persons. Modifies ranking and criteria for awarding individual grants that OSFM needs to establish in implementing the Wildfire Prepared Structure Program grant program (Program). Requires a **person who receives an individual grant** to take certain actions. Requires a county that receives a block grant to report to OSFM. Requires OSFM, and counties that receive block grants, to accept applications for individual grants:

- At least once per year, for dwellings existing on the effective date of this Act, on a date or dates determined by the department.
- As needed, for dwellings constructed following wildfire damage.

- *FISCAL: May have fiscal impact, but no statement issued yet*
- *REVENUE: May have revenue impact, but no statement issued yet*

BACKGROUND:

During the 2021 legislative session, the Legislative Assembly enacted Senate Bill 762 (2021), a major initiative to modernize and improve wildfire preparedness that contained three key strategies: creating fire-adapted communities, increasing the resiliency of Oregon's landscapes, and developing a safe and effective response to fire. Specifically, the measure required the Department of Consumer and Business Services to adopt R327 wildfire hazard mitigation building code standards for new construction in extreme- and high-wildfire risk classes in the wildland-urban interface. The purpose of R327 of the Oregon Residential Specialty Code "is to provide minimum standards for dwellings and their accessory structures located in or adjacent to vegetated areas subject to wildfires, to reduce or eliminate hazards presented by such fires."