

SENATE AMENDMENTS TO SENATE BILL 85

By COMMITTEE ON NATURAL RESOURCES AND WILDFIRE

April 14

1 On page 1 of the printed bill, line 2, delete “creating new provisions; amending ORS 476.398;”.

2 After line 3, insert:

3 “Whereas the state has a substantial public policy interest in addressing wildfire risks and
4 mitigation of those risks in communities throughout the state; and

5 “Whereas wildfires are becoming more frequent, growing in intensity and destruction, often
6 overwhelming response capabilities and triggering large-scale conflagrations that destroy communi-
7 ties, ecosystems and critical infrastructure; and

8 “Whereas the state, local communities, nongovernmental organizations and property owners
9 have invested, and will continue to invest, significantly in measures to mitigate wildfire risk to re-
10 duce the catastrophic nature of wildfire across our landscapes and built infrastructure; and

11 “Whereas the state continues to take a proactive approach to addressing affordability and
12 availability challenges in insurance markets, especially in wildfire-prone areas of this state, includ-
13 ing examining best practices and policies that help reduce wildfire risk for homeowners and com-
14 munities; and

15 “Whereas the state believes that the investments and activities undertaken by the state, local
16 communities and property owners should be recognized to the maximum extent possible in the
17 underwriting and ratings decisions of insurance companies; and

18 “Whereas the state must continue to partner with all relevant stakeholders, including insurance
19 companies and research and academic institutions, to research wildfire risk mitigation and the
20 connection of wildfire risk mitigation to insurance underwriting and rating decisions; and

21 “Whereas the threat of wildfire requires an immediate, coordinated response to protect lives,
22 public health, natural resources and the stability of communities; now, therefore;”.

23 Delete lines 5 through 20 and delete pages 2 through 4 and insert:

24 “**SECTION 1. (1) The Department of Consumer and Business Services and the Depart-**
25 **ment of the State Fire Marshal, in consultation with the State Forestry Department and**
26 **representatives of the insurance industry, shall evaluate and develop recommendations for**
27 **community-based wildfire risk mitigation actions, programs and strategies that could have**
28 **positive impacts on reducing wildfire risks and increasing insurance affordability and avail-**
29 **ability in this state.**

30 “**(2) The actions, programs and strategies described in this section include, but are not**
31 **limited to:**

32 “**(a) Property-level actions, programs and strategies, including establishing defensible**
33 **space, hardening a building or receiving certification from the Insurance Institute for Busi-**
34 **ness and Home Safety or a similar entity; and**

35 “**(b) Community-level actions, programs and strategies, with an emphasis on encouraging**

1 collaborative activities among residents of cohesive neighborhoods, including community
2 risk-reduction programs offered by the Department of the State Fire Marshal, the Institute
3 for Business and Home Safety or a similar entity.

4 **“SECTION 2.** (1) The Department of Consumer and Business Services and the Depart-
5 ment of the State Fire Marshal shall jointly submit a report on the evaluation and recom-
6 mendations under section 1 of this 2025 Act, in the manner provided by ORS 192.245, to the
7 interim committees of the Legislative Assembly related to wildfire no later than February
8 2, 2026. The report must include:

9 “(a) Recommendations for legislative changes, if any, to positively impact the availability
10 and affordability of homeowners insurance in this state.

11 “(b) A discussion of the discounts or incentives that the insurance industry could provide
12 to consumers in this state who complete actions, programs or strategies described in section
13 1 of this 2025 Act.

14 “(c) Information from homeowner insurers regarding the ways in which insurers treat
15 wildfire risk mitigation actions, as defined in ORS 742.277, in making underwriting and rate
16 decisions. The information must include, but is not limited to:

17 “(A) A list of wildfire risk mitigation actions that, taken together, could have a signif-
18 icant impact on underwriting or rating decisions for each insurer;

19 “(B) A description of the circumstances under which each wildfire risk mitigation action
20 would have a significant impact on underwriting or rating decisions;

21 “(C) A discussion of trends and variability among insurers regarding treatment of
22 wildfire risk mitigation actions in making underwriting and rating decisions; and

23 “(D) A summary of best practices among insurers who recognize wildfire mitigation risk
24 actions in making underwriting and rating decisions.

25 “(2) The Department of Consumer and Business Services and the Department of the
26 State Fire Marshal shall also submit the report to the State Wildfire Programs Director and
27 the Wildfire Programs Advisory Council.

28 “(3) All records, documents, work papers, recorded information or copies thereof, that
29 are produced or obtained by, or disclosed to, the Department of Consumer and Business
30 Services under subsection (1)(c) of this section:

31 “(a) Are provided to the Director of the Department of Consumer and Business Services
32 in the course of analysis by the director of the financial condition or market conduct of an
33 insurer under ORS 731.312 (6); and

34 “(b) Are confidential, privileged and exempt from public disclosure under ORS 705.137.

35 **“SECTION 3.** Sections 1 and 2 of this 2025 Act are repealed on January 2, 2027.

36 **“SECTION 4.** This 2025 Act being necessary for the immediate preservation of the public
37 peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect
38 on its passage.”.