

Senate Bill 781

Sponsored by Senator COURTNEY

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**.

Allows injured person to bring civil action against city or county that fails to regulate discharge of firearms on private property after having notice of dangerous condition.

Removes prohibition on local government regulation relating to certain areas designed and built for purpose of target shooting.

A BILL FOR AN ACT

1
2 Relating to discharge of firearms on private property; creating new provisions; and amending ORS
3 166.171 and 166.172.

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

5 **SECTION 1. Notwithstanding ORS 30.265 (6)(c), a person injured by a bullet that strays**
6 **outside of private property may bring an action against the city or county with jurisdiction**
7 **over the property under ORS 30.260 to 30.300 if the city or county failed to regulate the dis-**
8 **charge of firearms on the property as provided in ORS 166.171 or 166.172 when the city or**
9 **county had notice of the dangerous condition created by discharge of firearms on the prop-**
10 **erty.**

11 **SECTION 2.** ORS 166.171 is amended to read:

12 166.171. (1) A county may adopt ordinances to regulate, restrict or prohibit the discharge of
13 firearms within their boundaries.

14 (2) Ordinances adopted under subsection (1) of this section may not apply to or affect:

15 (a) A person discharging a firearm in the lawful defense of person or property.

16 (b) A person discharging a firearm in the course of lawful hunting.

17 (c) A landowner and guests of the landowner discharging a firearm, when the discharge will not
18 endanger adjacent persons or property.

19 (d) A person discharging a firearm on a public or private shooting range[,] **or** shooting gallery
20 [*or other area designed and built for the purpose of target shooting*].

21 (e) A person discharging a firearm in the course of target shooting on public land that is not
22 inside an urban growth boundary or the boundary of a city, if the discharge will not endanger per-
23 sons or property.

24 (f) An employee of the United States Department of Agriculture, acting within the scope of em-
25 ployment, discharging a firearm in the course of the lawful taking of wildlife.

26 **SECTION 3.** ORS 166.172 is amended to read:

27 166.172. (1) A city may adopt ordinances to regulate, restrict or prohibit the discharge of
28 firearms within the city's boundaries.

29 (2) Ordinances adopted under subsection (1) of this section may not apply to or affect:

30 (a) A person discharging a firearm in the lawful defense of person or property.

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 (b) A person discharging a firearm on a public or private shooting range[,] **or** shooting gallery
2 [*or other area designed and built for the purpose of target shooting*].

3 (c) An employee of the United States Department of Agriculture, acting within the scope of
4 employment, discharging a firearm in the course of the lawful taking of wildlife.

5 **SECTION 4. Section 1 of this 2019 Act applies to injuries occurring on or after the ef-**
6 **fective date of this 2019 Act.**

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