

Senate Bill 5

Sponsored by Senator COURTNEY (Presession filed.)

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**.

Makes shooting range and person discharging firearm at shooting range strictly liable for injuries resulting from bullets that stray outside boundaries of shooting range.

Allows injured person to bring civil action against city or county that fails to regulate shooting range after having notice of dangerous condition.

Removes prohibition on local government regulation relating to shooting ranges.

A BILL FOR AN ACT

1 Relating to shooting ranges; creating new provisions; and amending ORS 166.171 and 166.172.

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

3 **SECTION 1. (1) A shooting range and a person discharging a firearm at a shooting range**
4 **are strictly liable for injuries resulting from bullets that stray outside the boundaries of the**
5 **shooting range.**

6
7 **(2) Notwithstanding ORS 30.265 (6)(c), a person injured by a bullet that strays outside a**
8 **shooting range may bring an action against the city or county with jurisdiction over the**
9 **shooting range under ORS 30.260 to 30.300 if the city or county failed to regulate the shooting**
10 **range when the city or county had notice of the dangerous condition of the shooting range.**

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, shooting gallery or*
20 *other area designed and built for the purpose of target shooting.]*

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

24 *[(f)]* **(e)** An employee of the United States Department of Agriculture, acting within the scope
25 of employment, 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, shooting gallery or other*
2 *area designed and built for the purpose of target shooting.]*

3 *[(c) (b) An employee of the United States Department of Agriculture, acting within the scope*
4 *of 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.**

7
