

DRAFT

SUMMARY

Directs Department of State Police to establish safety procedures for shooting ranges and policies and procedures for certifying rangemasters. Allows counties and cities to regulate, restrict or prohibit discharge of firearms on shooting ranges. Removes certain exemptions from liability for alleged noise control violations by shooting ranges.

Creates crime of negligently damaging property with firearm or bow. Punishes by maximum of six months' imprisonment, \$500 fine, or both.

A BILL FOR AN ACT

1
2 Relating to shooting ranges; creating new provisions; and amending ORS
3 166.171, 166.172, 166.180 and 467.131.

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

5 **SECTION 1.** (1) As used in this section, "shooting range" means a
6 public or private shooting range, shooting gallery or other area de-
7 signed, built or used for the purpose of target shooting.

8 (2) The Department of State Police shall establish by rule safety
9 procedures for shooting ranges. The rules shall include policies and
10 procedures for the certification of rangemasters.

11 (3) Shooting ranges shall:

12 (a) Control gunfire so that bullets or other projectiles do not cross
13 the plane of the shooting range boundary and do not enter property
14 adjacent to the shooting range, absent consent by the owner or occu-
15 pant of the adjacent property;

16 (b) Ensure that gates and doors are secured sufficiently to prevent
17 unauthorized entry onto the premises; and

18 (c) Ensure that local noise control ordinances are observed.

1 (4) All shooting ranges shall employ a rangemaster, who shall be
2 certified by the department and shall be physically present at the
3 shooting range at any time that firearms or other weapons are being
4 discharged. The rangemaster shall ensure that:

5 (a) Weapon safety rules are prominently posted and are followed
6 by all members and visitors while on the premises of the shooting
7 range;

8 (b) All visitors to the shooting range provide identification and that
9 their names are recorded in a log;

10 (c) Alcoholic beverages are not consumed or possessed by anyone
11 on the premises; and

12 (d) All firearms or other weapons that are brought onto the prem-
13 ises of the shooting range are recorded in a log book. The rangemaster
14 shall cause to be recorded at least the following information:

15 (A) The make and model of the weapon;

16 (B) The caliber of the weapon;

17 (C) The name and address of the person bringing the weapon onto
18 the premises; and

19 (D) The date and time that the weapon is brought onto the prem-
20 ises.

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

22 166.171. (1) A county may adopt ordinances to regulate, restrict or pro-
23 hibit the discharge of firearms within their boundaries.

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

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

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

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

31 [(d) A person discharging a firearm on a public or private shooting range,

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

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

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

7 166.172. (1) A city may adopt ordinances to regulate, restrict or prohibit
8 the discharge of firearms within the city's boundaries.

9 (2) Ordinances adopted under subsection (1) of this section may not apply
10 to or affect[:]

11 [(a)] a person discharging a firearm in the lawful defense of person or
12 property.

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

16 **SECTION 4.** ORS 166.180 is amended to read:

17 166.180. Any person who, as a result of failure to use ordinary care under
18 the circumstances, wounds any other person **or damages another's prop-**
19 **erty** with a bullet or shot from any firearm, or with an arrow from any bow,
20 shall be punished by imprisonment in the county jail for a period not to ex-
21 ceed six months, or by a fine not to exceed \$500, or both. In addition, any
22 person so convicted shall forfeit any license to hunt, obtained under the laws
23 of this state, and shall be ineligible to obtain a license to hunt for a period
24 of 10 years following the date of conviction.

25 **SECTION 5.** ORS 467.131 is amended to read:

26 467.131. Any owner, operator or lessee of a rifle, pistol, silhouette, skeet,
27 trap, blackpowder or other shooting range in this state shall be immune from
28 civil or criminal liability based upon an allegation of noise or noise pollution
29 so long as:

30 (1) The allegation results from the normal and accepted activity on the
31 shooting range;

1 (2) The owner, operator or lessee [*complied*] **is in compliance** with any
2 applicable noise control law or ordinance [*existing at the time construction*
3 *of the shooting range began or no noise control law or ordinance was then*
4 *existing*]; [*and*]

5 (3) The allegation results from activity on the shooting range occurring
6 between 7 a.m. and [10] 7 p.m. or conducted for law enforcement training
7 purposes[.]; **and**

8 (4) **The allegation does not result from activity on the shooting**
9 **range on Christmas or Thanksgiving.**

10
