
**Agriculture & Natural Resources
Committee**

HB 2427

Brief Description: Addressing wildfires caused by incendiary devices.

Sponsors: Representatives Blake, Orcutt, Hurst, MacEwen, Kretz, Haigh, Ryu and Buys.

Brief Summary of Bill

- Creates criminal liability for individuals who use or detonate incendiary ammunition, sky lanterns, or exploding targets on specific land use types during specified times of the year.

Hearing Date: 1/24/14

Staff: Jason Callahan (786-7117).

Background:

Between the dates of April 14 and October 15, or another date range designed by the Department of Natural Resources (DNR), it is unlawful to throw away any lighted material (such as a cigarette, match, or charcoal or fireworks), or discharge any tracer or incendiary ammunition, in any forest, brush, range, or grain areas [RCW 76.04.455]. Those dates are defined in statute as the "closed season". A violation of this provision is punishable as a misdemeanor [RCW 76.04.085].

It is a gross misdemeanor to knowingly cause a fire or explosion in a way that places forest lands in danger of damage [RCW 76.04.710].

Summary of Bill:

The prohibition on discharging incendiary and tracer ammunition on forest, brush, range, or grain lands during the closed season is expanded to include detonating an exploding target and

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releasing a sky lantern. The specific ban on tracer ammunition is removed; however, the concept of tracer ammunition is added to the definition of incendiary ammunition.

Additional prohibitions are also created for time periods other than the closed season. When it is not the closed season, it is unlawful to discharge incendiary ammunition, release a sky lantern, or detonate an exploding target on or over forest, brush, range, or grain lands when the person doing the act does not own the land in question or have prior written permission to do the acts from the owner of the land.

The term "exploding target" is defined as a device designed for use as a target, and which consists of flammable substances capable of exploding when struck by projectiles. The term "sky lantern" is defined to mean an unmanned, self-contained luminary device that utilizes heated air produced by an open flame to remain airborne. The term "incendiary ammunition" is defined to mean flammable ammunition that is designed to explode upon impact or designed to trace its course in the air with a trail of smoke, fire, or chemical incandescence.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.