
**Agriculture & Natural Resources
Committee**

SSB 6199

Brief Description: Addressing wildfires caused by incendiary devices.

Sponsors: Senate Committee on Natural Resources & Parks (originally sponsored by Senators Braun and Hargrove).

Brief Summary of Substitute 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: 2/21/14

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, charcoal, or fireworks), or discharge any tracer or incendiary ammunition, in any forest, brush, range, or grain area. Those dates are defined in statute as the "closed season." A violation of this provision is punishable as a misdemeanor. Tracer or incendiary ammunition is prohibited on land managed by the DNR year round.

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 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

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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. These prohibitions do not apply if the underlying acts are conducted consistent with authorization from the DNR.

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.