

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 539

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO EXPLODING TARGETS; AMENDING CHAPTER 1, TITLE 38, IDAHO CODE, BY
2 THE ADDITION OF A NEW SECTION 38-137, IDAHO CODE, TO PROVIDE RESTRIC-
3 TIONS RELATING TO THE USE OF EXPLODING TARGETS, TO PROVIDE THAT CERTAIN
4 LESSEES MAY APPROVE OR PROHIBIT THE USE OF EXPLODING TARGETS ON PUBLIC
5 LANDS THAT THEY LEASE, TO PROVIDE FOR THE USE OF EXPLODING TARGETS ON
6 SHOOTING RANGES PROVIDED SPECIFIED CONDITIONS ARE MET, TO PROVIDE FOR
7 VIOLATIONS, TO PROVIDE FOR THE APPLICABILITY OF SPECIFIED LAW, TO PRO-
8 VIDE FOR LIABILITY AND TO DEFINE A TERM.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Chapter 1, Title 38, Idaho Code, be, and the same is
12 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
13 ignated as Section 38-137, Idaho Code, and to read as follows:

14 38-137. EXPLODING TARGETS -- PERIOD OF PROHIBITED USE -- VIOLATION --
15 APPLICABILITY. (1) On public lands, the use of exploding targets is prohib-
16 ited during closed fire season, including extensions or emergency closures,
17 as provided for in section 38-115, Idaho Code, unless a written order by the
18 land manager having jurisdiction over said public lands approves the use of
19 exploding targets, or unless the public land is cultivated, irrigated or
20 otherwise devoid of fuels and vegetative cover so as to control fire danger.
21 If public lands are leased and are irrigated, cultivated, mined or otherwise
22 devoid of fuels, the lessee has the authority to approve or prohibit the use
23 of exploding targets if they are granted such authority under the lease.

24 (2) On private lands, during closed fire season, including any exten-
25 sions or emergency closures, exploding targets shall not be used or exploded
26 without the express consent of the landowner, and consent of the local fire
27 official, if any, having jurisdiction over said lands, and then only when
28 fire prevention measures remove fuels and flammable materials in proximity
29 of the target to prevent wildfires.

30 (3) During closed fire season, on public or private lands, exploding
31 targets may be used on a public or private shooting range as described in sec-
32 tion 55-2604, Idaho Code, or any public or private shooting range that has
33 approval for shooting activities, so long as the fuels and flammable materi-
34 als in proximity to the target have been removed.

35 (4) Any violation of the provisions of this section shall be deemed a
36 misdemeanor.

37 (5) The provisions of section 38-107, Idaho Code, shall apply to any
38 fire caused by an exploding target as provided for in this section. The
39 shooter of an exploding target may be liable for all wildfire suppression
40 costs and damages as provided for in section 38-107, Idaho Code.

1 (6) An "exploding target" means a device used as a target consisting
2 of a flammable substance or substances capable of exploding when struck by a
3 bullet or projectile.