

IN THE SENATE

SENATE BILL NO. 1154

BY STATE AFFAIRS 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 AND INCENDIARY OR TRACER  
4 AMMUNITION, TO PROVIDE FOR VIOLATIONS, TO PROVIDE FOR THE APPLICABILITY  
5 OF SPECIFIED LAW, TO DEFINE TERMS, AND TO PROVIDE AN EXCEPTION TO APPLI-  
6 CABILITY.  
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8 Be It Enacted by the Legislature of the State of Idaho:

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

12 38-137. EXPLODING TARGETS -- INCENDIARY OR TRACER AMMUNITION --  
13 PERIOD OF PROHIBITED USE -- VIOLATION -- APPLICABILITY. (1) The use of ex-  
14 ploding targets and incendiary or tracer ammunition is prohibited on public  
15 lands during the closed fire season, as provided for in section 38-115, Idaho  
16 Code.

17 (2) Any violation of the provisions of this section shall be deemed a  
18 misdemeanor. In addition to any other punishment imposed, or cost recovery  
19 allowed by law, the court shall have discretion to order a person committing  
20 a violation of this section to perform community service in remediation ef-  
21 forts associated with damages caused by a fire resulting from the person's  
22 violation.

23 (3) The provisions of section 38-107, Idaho Code, shall apply to any  
24 fire caused by an exploding target, or incendiary or tracer ammunition, as  
25 provided for in this section.

26 (4) As used in this section:

27 (a) "Exploding target" means a device designed for use as a target  
28 consisting of a flammable substance or substances capable of exploding  
29 when struck by a bullet or projectile.

30 (b) "Incendiary or tracer ammunition" means ammunition that is de-  
31 signed to ignite or explode upon impact with or penetration of a target  
32 or designed to trace its course in the air with a trail of smoke, chemi-  
33 cal incandescence, or fire.

34 (5) The provisions of this section shall not apply to exploding tar-  
35 gets and incendiary or tracer ammunition when used on any shooting range that  
36 has a permit or governmental approval, whether located on public or private  
37 land.