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First Regular Session - 2019

IN THE SENATE

SENATE BILL NO. 1154

BY STATE AFFAIRS COMMITTEE

1	AN ACT
2	RELATING TO EXPLODING TARGETS; AMENDING CHAPTER 1, TITLE 38, IDAHO CODE, BY
3	THE ADDITION OF A NEW SECTION 38-137, IDAHO CODE, TO PROVIDE RESTRIC-
4	TIONS RELATING TO THE USE OF EXPLODING TARGETS AND INCENDIARY OR TRACER
5	AMMUNITION, TO PROVIDE FOR VIOLATIONS, TO PROVIDE FOR THE APPLICABILITY
5	OF SPECIFIED LAW, TO DEFINE TERMS, AND TO PROVIDE AN EXCEPTION TO APPLI-
7	CARTITTY

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

SECTION 1. That Chapter 1, Title 38, Idaho Code, be, and the same is hereby amended by the addition thereto of a $\underline{\text{NEW SECTION}}$, to be known and designated as Section 38-137, Idaho Code, and to read as follows:

- 38-137. EXPLODING TARGETS -- INCENDIARY OR TRACER AMMUNITION -- PERIOD OF PROHIBITED USE -- VIOLATION -- APPLICABILITY. (1) The use of exploding targets and incendiary or tracer ammunition is prohibited on public lands during the closed fire season, as provided for in section 38-115, Idaho Code.
- (2) Any violation of the provisions of this section shall be deemed a misdemeanor. In addition to any other punishment imposed, or cost recovery allowed by law, the court shall have discretion to order a person committing a violation of this section to perform community service in remediation efforts associated with damages caused by a fire resulting from the person's violation.
- (3) The provisions of section 38-107, Idaho Code, shall apply to any fire caused by an exploding target, or incendiary or tracer ammunition, as provided for in this section.
 - (4) As used in this section:
 - (a) "Exploding target" means a device designed for use as a target consisting of a flammable substance or substances capable of exploding when struck by a bullet or projectile.
 - (b) "Incendiary or tracer ammunition" means ammunition that is designed to ignite or explode upon impact with or penetration of a target or designed to trace its course in the air with a trail of smoke, chemical incandescence, or fire.
- (5) The provisions of this section shall not apply to exploding targets and incendiary or tracer ammunition when used on any shooting range that has a permit or governmental approval, whether located on public or private land.