

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass and Be Referred to the Committee on Ways and Means by Prior Reference

Vote: 9 - 0 - 1

Yeas: Barton, Cameron, Garrett, Krieger, Olson, Smith J., Stiegler, Whisnant, Barker

Nays: 0

Exc.: Shields

Prepared By: Anna Braun, Counsel

Meeting Dates: 2/25, 3/13

WHAT THE MEASURE DOES: Expands and increases the penalty for knowingly filing a false corporate document with the Secretary of State. Makes violations a Class A misdemeanor. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- The standard of knowingly
- Cases generally brought in conjunction with other criminal charges

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Knowingly filing a false document is currently a Class B misdemeanor for some Secretary of State corporate filings, including filings under the Oregon Corporations Act and Oregon Non-profit Corporation Act. HB 2088 expands the penalty for other types of corporation documents and increases the penalty from a Class B misdemeanor to a Class A misdemeanor.