

House Bill 2088

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Secretary of State Bill Bradbury)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Extends criminal sanctions for signing false documents for filing with office of Secretary of State to all business registry filings. Punishes crime of signing false document for filing by maximum of one year's imprisonment, \$6,250 fine, or both.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to criminal penalties for filing false business registry documents with Secretary of State;
3 creating new provisions; amending ORS 60.992, 63.990 and 65.990; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 58.**

6 **SECTION 2. (1) A person commits the crime of signing a false document for filing if the**
7 **person:**

8 (a) **Knows the document is false in any material respect; and**

9 (b) **Signs the document with intent that the document be delivered to the office of the**
10 **Secretary of State for filing under this chapter.**

11 (2) **Signing a false document for filing is a Class A misdemeanor.**

12 **SECTION 3. Section 4 of this 2009 Act is added to and made a part of ORS chapter 62.**

13 **SECTION 4. (1) A person commits the crime of signing a false document for filing if the**
14 **person:**

15 (a) **Knows the document is false in any material respect; and**

16 (b) **Signs the document with intent that the document be delivered to the office of the**
17 **Secretary of State for filing under this chapter.**

18 (2) **Signing a false document for filing is a Class A misdemeanor.**

19 **SECTION 5. Section 6 of this 2009 Act is added to and made a part of ORS chapter 67.**

20 **SECTION 6. (1) A person commits the crime of signing a false document for filing if the**
21 **person:**

22 (a) **Knows the document is false in any material respect; and**

23 (b) **Signs the document with intent that the document be delivered to the office of the**
24 **Secretary of State for filing under this chapter.**

25 (2) **Signing a false document for filing is a Class A misdemeanor.**

26 **SECTION 7. Section 8 of this 2009 Act is added to and made a part of ORS chapter 70.**

27 **SECTION 8. (1) A person commits the crime of signing a false document for filing if the**
28 **person:**

29 (a) **Knows the document is false in any material respect; and**

30 (b) **Signs the document with intent that the document be delivered to the office of the**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **Secretary of State for filing under this chapter.**

2 **(2) Signing a false document for filing is a Class A misdemeanor.**

3 **SECTION 9. Section 10 of this 2009 Act is added to and made a part of ORS 554.005 to**
4 **554.340.**

5 **SECTION 10. (1) A person commits the crime of signing a false document for filing if the**
6 **person:**

7 **(a) Knows the document is false in any material respect; and**

8 **(b) Signs the document with intent that the document be delivered to the office of the**
9 **Secretary of State for filing under ORS 554.005 to 554.340.**

10 **(2) Signing a false document for filing is a Class A misdemeanor.**

11 **SECTION 11. Section 12 of this 2009 Act is added to and made a part of ORS 128.560 to**
12 **128.600.**

13 **SECTION 12. (1) A person commits the crime of signing a false document for filing if the**
14 **person:**

15 **(a) Knows the document is false in any material respect; and**

16 **(b) Signs the document with intent that the document be delivered to the office of the**
17 **Secretary of State for filing under ORS 128.560 to 128.600.**

18 **(2) Signing a false document for filing is a Class A misdemeanor.**

19 **SECTION 13. Section 14 of this 2009 Act is added to and made a part of ORS chapter 648.**

20 **SECTION 14. (1) A person commits the crime of signing a false document for filing if the**
21 **person:**

22 **(a) Knows the document is false in any material respect; and**

23 **(b) Signs the document with intent that the document be delivered to the office of the**
24 **Secretary of State for filing under this chapter.**

25 **(2) Signing a false document for filing is a Class A misdemeanor.**

26 **(3) Nothing in this section limits or affects any civil penalty the Secretary of State may**
27 **impose for violation of a provision of this chapter or any person's right to seek a remedy**
28 **otherwise available under this chapter.**

29 **SECTION 15. ORS 60.992 is amended to read:**

30 **60.992. (1) A person commits the crime of [*falsely*] signing a **false** document for filing if the**
31 **person:**

32 **(a) Knows the document is false in any material respect; and**

33 **(b) Signs [*a*] **the** document [*knowing it is false in any material respect*] with intent that the**
34 **document be delivered to the office of the Secretary of State for filing under this chapter.**

35 **(2) [*False*] Signing a **false** document for filing is a [*Class B*] **Class A** misdemeanor.**

36 **SECTION 16. ORS 63.990 is amended to read:**

37 **63.990. (1) A person commits the crime of [*falsely*] signing a **false** document for filing [*under this***
38 ***chapter*] if the person:**

39 **(a) Knows the document is false in any material respect; and**

40 **(b) Signs [*a*] **the** document [*knowing it is false in any material respect*] with intent that the**
41 **document be delivered to the office of the Secretary of State for filing under this chapter.**

42 **(2) [*False*] Signing a **false** document for filing is a [*Class B*] **Class A** misdemeanor.**

43 **SECTION 17. ORS 65.990 is amended to read:**

44 **65.990. (1) A person commits the crime of [*falsely*] signing a **false** document for filing if the**
45 **person:**

1 **(a) Knows the document is false in any material respect; and**
2 **(b) Signs [a] the document [knowing it is false in any material respect] with intent that the**
3 document be delivered to the [Office] **office** of the Secretary of State for filing **under this**
4 **chapter.**
5 (2) *[Violation of subsection (1) of this section is a Class B]* **Signing a false document for filing**
6 **is a Class A misdemeanor.**
7 **SECTION 18. Sections 2, 4, 6, 8, 10, 12 and 14 of this 2009 Act and the amendments to**
8 **ORS 60.992, 63.990 and 65.990 by sections 15, 16 and 17 of this 2009 Act apply to all documents**
9 **filed with the office of the Secretary of State on or after the effective date of this 2009 Act.**
10 **SECTION 19. This 2009 Act being necessary for the immediate preservation of the public**
11 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
12 **on its passage.**
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