

# Senate Bill 273

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## 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**.

Reduces maximum penalty that may be imposed for failure to file ethics statements in timely fashion from \$5,000 to \$1,000.

## A BILL FOR AN ACT

1  
2 Relating to statement of economic interest; creating new provisions; and amending ORS 244.350.

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

4 **SECTION 1.** ORS 244.350 is amended to read:

5 244.350. (1) The Oregon Government Ethics Commission may impose civil penalties not to ex-  
6 ceed:

7 (a) Except as provided in paragraph (b) of this subsection, \$5,000 for violation of any provision  
8 of this chapter or any resolution adopted under ORS 244.160.

9 (b) \$25,000 for violation of ORS 244.045.

10 (2)(a) Except as provided in paragraph (b) of this subsection, the commission may impose civil  
11 penalties not to exceed \$1,000 for violation of any provision of ORS 192.660.

12 (b) A civil penalty may not be imposed under this subsection if the violation occurred as a result  
13 of the governing body of the public body acting upon the advice of the public body's counsel.

14 (3) The commission may impose civil penalties not to exceed \$250 for violation of ORS 293.708.  
15 A civil penalty imposed under this subsection is in addition to and not in lieu of a civil penalty that  
16 may be imposed under subsection (1) of this section.

17 (4)(a) The commission may impose civil penalties on a person who fails to file the statement  
18 required under ORS 244.050 or 244.217. In enforcing this subsection, the commission is not required  
19 to follow the procedures in ORS 244.260 before finding that a violation of ORS 244.050 or 244.217  
20 has occurred.

21 (b) Failure to file the required statement in timely fashion is prima facie evidence of a violation  
22 of ORS 244.050 or 244.217.

23 (c) The commission may impose a civil penalty of \$10 for each of the first 14 days the statement  
24 is late beyond the date set by law, or by the commission under ORS 244.050, and \$50 for each day  
25 thereafter. The maximum penalty that may be imposed under this subsection is [~~\$5,000~~] **\$1,000**.

26 (5) In lieu of or in conjunction with finding a violation of law or any resolution or imposing a  
27 civil penalty under this section, the commission may issue a written letter of reprimand, explanation  
28 or education.

29 **SECTION 2. The amendments to ORS 244.350 by section 1 of this 2011 Act apply to**  
30 **statements required to be filed on or after the effective date of this 2011 Act.**

**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.

