

Senate Bill 287

Sponsored by Senator BOQUIST (at the request of Polk County Farmers) (Presession filed.)

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**.

Makes person allowing livestock to run at large subject to reduced maximum penalty if certain conditions met.

A BILL FOR AN ACT

1
2 Relating to penalties for failing to control livestock; creating new provisions; and amending ORS
3 607.992.

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

5 **SECTION 1.** ORS 607.992 is amended to read:

6 607.992. (1) Violation of any provision of this chapter is a misdemeanor.

7 **(2)(a) Notwithstanding ORS 153.018, 153.019, 153.021, 161.566, 161.615 and 161.635, the**
8 **maximum penalty that a court may impose on a person convicted of violating ORS 607.045,**
9 **whether treated as a misdemeanor or as a violation, is a fine equal in amount to the mini-**
10 **imum fine for a Class D violation if:**

11 **(A) The person makes all required appearances;**

12 **(B) The evidence does not establish that the person acted intentionally, knowingly or**
13 **recklessly to violate ORS 607.045; and**

14 **(C) The person does not have a previous conviction for violating ORS 607.045.**

15 **(b) As used in this subsection, "previous conviction" means a misdemeanor conviction,**
16 **or a violation conviction under ORS 161.566, that was entered before the commission of the**
17 **current crime of conviction.**

18 **SECTION 2.** The amendments to ORS 607.992 by section 1 of this 2013 Act apply to con-
19 **victions entered on or after the effective date of this 2013 Act for violations of ORS 607.045**
20 **committed before, on or after the effective date of this 2013 Act.**

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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.