

HB 2596-2
(LC 1123)
3/13/13 (CDT/ps)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2596**

1 Delete lines 4 through 26 of the printed bill and insert:

2 **“SECTION 1. (1) As used in this section:**

3 **“(a) ‘Access road’ means a public or private way, other than a state**
4 **highway as defined in ORS 366.005 or a county road as defined in ORS**
5 **368.001, owned or maintained for travel by motorized vehicles or**
6 **equipment as a means of reaching the exterior boundary of forestland.**

7 **“(b) ‘Forestland’ and ‘forest practice’ have the meanings given**
8 **those terms in ORS 527.620.**

9 **“(2) A public or private entity that contracts with the owner or**
10 **operator of forestland, or with an agent of the owner or operator of**
11 **forestland, to perform a forest practice on the forestland has a right**
12 **of action for the amount of actual damages against any person that,**
13 **while on the forestland or an access road, intentionally commits an**
14 **act that hinders, impairs or obstructs or is an attempt to hinder, im-**
15 **pair or obstruct, the performance of the forest practice by the public**
16 **or private entity. A court shall award a plaintiff prevailing under this**
17 **section reasonable attorney fees and costs.**

18 **“(3) If the contract between the public or private entity and the**
19 **owner, operator or agent provides for the public or private entity to**
20 **perform forest practices in a defined area of forestland that lies in**
21 **more than one county, venue for a cause of action under this section**
22 **is proper in any county containing part of the area of forestland de-**

1 **fined by the contract terms in effect on the date the cause of action**
2 **arose.**

3 **“(4) An action under this section must be commenced within six**
4 **years after the date of the act giving rise to the cause of action.**

5 **“SECTION 2. Section 1 of this 2013 Act applies to acts that a person**
6 **intentionally commits or continues to intentionally commit on or after**
7 **the effective date of this 2013 Act.”.**

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