

A-Engrossed
Senate Bill 664

Ordered by the Senate April 17
Including Senate Amendments dated April 17

Sponsored by Senator OLSEN

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.

Prohibits agency from imposing civil penalty on small business [*for first violation of paperwork requirement if violation does not pose unreasonable risk of harm to employees of small business or general public*] **under certain circumstances.**

A BILL FOR AN ACT

1
2 Relating to prohibiting agencies from imposing civil penalties on small businesses for paperwork
3 violations.

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

5 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 183.**

6 **SECTION 2. (1) Subject to subsection (2) of this section, an agency may not impose a civil
7 penalty upon a small business in any proceeding under ORS 183.745 for:**

8 (a) **A failure to timely file a form or other document required by the agency;**

9 (b) **A failure to personally carry a document required by the agency;**

10 (c) **A failure to carry a document required by the agency in the person's vehicle; or**

11 (d) **An error in the completion of a form or other document required by the agency.**

12 **(2) Subsection (1) of this section applies only if:**

13 (a) **The small business was in substantial compliance with all other applicable laws;**

14 (b) **The failure or error was the first violation by the small business of the requirement;**

15 (c) **The failure or error did not pose an unreasonable risk of harm to an employee of the
16 small business or a member of the general public; and**

17 (d) **A contrary requirement is not imposed on an agency by federal law or mandatory
18 federal guidance.**

19 **SECTION 3. Section 2 of this 2017 Act applies to violations of agency requirements com-
20 mitted on or after the effective date of this 2017 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.