

Requested by Representative REARDON

**PROPOSED AMENDMENTS TO
HOUSE BILL 2533**

1 On page 1 of the printed bill, line 2, after the semicolon insert “creating
2 new provisions; and”.

3 Delete lines 4 through 31 and delete page 2 and insert:

4 **“SECTION 1.** ORS 602.010 is amended to read:

5 “602.010. As used in this chapter, the term:

6 “(1) ‘Apiary’ and ‘apiary property’ includes bees, honey, beeswax, bee
7 comb, hives, frames and other equipment, appliances and material used in
8 connection with an apiary.

9 “(2) ‘Appliances’ means any implement or device used in the manipulating
10 of bees or their brood or hives, which may be used in any apiary.

11 “(3) ‘Bees’ means honey-producing insects of the genus *Apis* and includes
12 the adults, eggs, larvae, pupae or other immature stages thereof, together
13 with such materials as are deposited into hives by their adults, except honey
14 and beeswax in rendered form.

15 “(4) ‘Colony’ or ‘colonies of bees’ refers to any hive occupied by bees.

16 “(5) ‘Department’ means the State Department of Agriculture.

17 “(6) ‘Disease’ means pests, disease or any condition affecting bees or their
18 brood.

19 “(7) ‘Hive’ means any receptacle or container made or prepared for use
20 of bees, or box or similar container taken possession of by bees.

21 “(8) ‘Location’ means the premises upon which an apiary is located.

1 “(9) ‘Nucleus colony’ means a colony that is used primarily to
2 produce new queens or workers for the purpose of starting a new col-
3 ony or adding to an existing colony.

4 “[(9)] (10) ‘Person’ includes any individual, partnership, association or
5 corporation, but does not include any common carrier when engaged in the
6 business of transporting bees, hives, appliances, bee cages or other commod-
7 ities which are the subject of this chapter, in the regular course of business.

8 “**SECTION 2.** ORS 602.045 is amended to read:

9 “602.045. A local government may:

10 “(1) Adopt ordinances consistent with the best practices described in ORS
11 602.035; and

12 “(2) Charge a reasonable fee for registering hives in residential areas [*in*
13 *accordance with the rules established in ORS 602.090*]. **The fee that a local**
14 **government charges for registering hives in residential areas may not**
15 **exceed the amount charged under State Department of Agriculture**
16 **rules for the registration of colonies that are subject to fees under**
17 **ORS 602.090 (3).**

18 “**SECTION 3.** ORS 602.090 is amended to read:

19 “602.090. (1) Every person who owns or is in charge of five or more colo-
20 nies of bees located within this state, shall cause the colonies to be regis-
21 tered with the State Department of Agriculture [*as in this section provided*].

22 “(2) Application for registration shall be made on a form furnished by the
23 department. The registration shall cover each colony of bees owned by the
24 applicant, and shall give the address and telephone number of the owner and
25 the name, address and telephone number of the person in charge if the person
26 in charge is not the owner. The registration shall be made before June 1 of
27 each year for all colonies. Each registrant shall furnish an address to which
28 any notice required by this chapter to be given may be sent, and shall agree
29 that any notice sent by the department to such address shall be deemed to
30 be notice in fact.

1 “(3) **Except as provided in subsection (4) of this section**, the applica-
2 tion for registration shall be accompanied by a fee not to exceed \$10 per
3 application and \$0.50 per colony. For each registration after July 1, the fee
4 shall not exceed \$20 per application and \$0.50 per colony. The department[,
5 *by rule,*] shall establish the fees [*subject to be*] **by rule, not to exceed** the
6 maximum limits prescribed in this subsection.

7 “(4) **There is no per application fee or per colony fee to register a**
8 **nucleus colony. However, this subsection does not cancel or reduce**
9 **any fee under subsection (3) of this section payable by a person for the**
10 **registration of other colonies.**

11 “[(4)] (5) When the ownership of [*bees which have been subject to the*
12 *charge provided in*] **colonies that are subject to a fee under subsection**
13 **(3) of this section** is changed, the department shall transfer the registration
14 to the new owner without charges. However, if the [*bees have*] **colony has**
15 not been previously registered, the new owner shall pay [*the*] **any registra-**
16 **tion fee due under subsection (3) of this section** without penalty.

17 “[(5)] (6) The department shall maintain records of registered beekeepers
18 and the number of colonies registered.

19 “**SECTION 4. The amendments to ORS 602.010, 602.045 and 602.090**
20 **by sections 1 to 3 of this 2017 Act apply to fees collected on or after**
21 **the effective date of this 2017 Act for periods occurring before, on or**
22 **after the effective date of this 2017 Act.”.**

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