PROPOSED AMENDMENTS TO
HOUSE BILL 4030

1   On page 2 of the printed bill, delete lines 22 through 31 and insert:

2   "(12)(a) If a court imposes a fine as penalty for an offense under the

3   wildlife laws that involves the unlawful taking or killing of wildlife listed

4   under ORS 496.705 (2), the court may order that the defendant pay a portion

5   of the fine separately to the clerk of the court as a compensatory fine. The

6   clerk shall pay over to the State Fish and Wildlife Commission the amount

7   paid by the defendant as a compensatory fine under this subsection.

8   "(b) Notwithstanding ORS 153.018, 161.625 or 161.635 or any specific fine

9   statute establishing a maximum fine for an offense that involves the unlaw-

10   ful taking or killing of wildlife listed under ORS 496.705 (2), if the maximum

11   amount recoverable under ORS 496.705 (2) as damages for the unlawful tak-

12   ing or killing is a greater amount, the court may impose a fine that is

13   greater than the applicable maximum fine specified for the offense under

14   ORS 153.018, 161.625 or 161.635 or the specific fine statute. If the court im-

15   poses a fine under this subsection that is greater than the applicable maxi-

16   mum fine specified for an offense under ORS 153.018, 161.625 or 161.635 or a

17   specific fine statute, the court shall include the portion of the imposed fine

18   that is greater than the maximum fine specified for the offense in the amount

19   ordered to be paid as a compensatory fine. A compensatory fine under this

20   subsection may not exceed the maximum damages amount specified under

21   ORS 496.705 (2) as damages for the unlawful taking or killing.

1   "(c) Notwithstanding ORS 496.705, the amount recoverable under ORS

2   496.705 (2) by the commission as damages for an unlawful taking or killing

3   of wildlife shall be reduced by any compensatory fine that a court imposes

4   under this subsection for the unlawful taking or killing.".

5   On page 3, line 27, delete "misdemeanors" and insert "offenses".

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