Senate Bill 738
Sponsored by Senator KNOPP

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.

Prohibits assessment of civil penalty or fine for violation of state occupational or health measures if no disease outbreak of COVID-19 occurred as result of violation.

Directs Director of the Department of Consumer and Business Services to rescind civil penalties and fines assessed against employers for violations of COVID-19-related occupational safety or health measures if no disease outbreak of COVID-19 has occurred as result of violation. Directs director to refund rescinded civil penalties and fines.

A BILL FOR AN ACT
Relating to penalties under Oregon Safe Employment Act; and prescribing an effective date.

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

SECTION 1. (1) Notwithstanding any other provision of law, an employer may not be assessed a civil penalty or fine for a violation of a state occupational safety or health law, regulation, standard, rule or order related to COVID-19 if no disease outbreak of COVID-19 was found to have occurred as a result of the violation.

(2) The Director of the Department of Consumer and Business Services or an authorized representative of the director shall rescind the assessment of any civil penalty or fine issued against an employer for a violation of a state occupational safety or health law, regulation, standard, rule or order related to COVID-19 if no disease outbreak of COVID-19 was found to have occurred as a result of the violation. The director shall refund all amounts paid to satisfy an assessment that is rescinded under this subsection.

(3) As used in this section:
   (a) “Disease outbreak” has the meaning given that term in ORS 431A.005.
   (b) “Employer” has the meaning given that term in ORS 654.005.

SECTION 2. This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.