

# 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 measure 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 Directs director to refund rescinded civil penalties and fines.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

1  
2 Relating to penalties under Oregon Safe Employment Act; and prescribing an effective date.

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

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

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13 **satisfy an assessment that is rescinded under this subsection.**

14 **(3) As used in this section:**

15 **(a) "Disease outbreak" has the meaning given that term in ORS 431A.005.**

16 **(b) "Employer" has the meaning given that term in ORS 654.005.**

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

19

---

**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.