

HB 4074-5
(LC 262)
2/7/22 (SCT/ps)

Requested by Representative WALLAN

**PROPOSED AMENDMENTS TO
HOUSE BILL 4074**

1 On page 4 of the printed bill, after line 3, insert:

2 **“SECTION 11. (1) Subject to subsection (2) of this section, a building**
3 **inspector or representative of the Department of Consumer and Busi-**
4 **ness Services, the State Fire Marshal or representative of the State**
5 **Fire Marshal or a law enforcement officer may, at a reasonable time**
6 **and in a reasonable manner, enter and inspect a property on which**
7 **there is an allegation of activity in violation of ORS 475C.065, 475C.085**
8 **or 571.281, or other state or local law applicable to the production or**
9 **processing of marijuana, as defined in ORS 475C.009, or the growing**
10 **or handling of industrial hemp, as defined in ORS 571.269.**

11 **“(2) An individual described in subsection (1) of this section shall**
12 **obtain, and must present to the property owner or representative of**
13 **the property owner upon entry, a warrant issued by a judge authorized**
14 **to issue warrants in the judicial district in which the property is lo-**
15 **cated.**

16 **“(3) An individual described in subsection (1) of this section may,**
17 **following an inspection, determine that a building or structure, or any**
18 **part of a building or structure, on the property is an imminent threat**
19 **and danger to the public health and safety if the building or structure,**
20 **or part of the building or structure, is used for an activity in violation**
21 **of ORS 475C.065, 475C.085 or 571.281, or other state or local law appli-**

1 cable to the production or processing of marijuana or the growing or
2 handling of industrial hemp.

3 “(4) Following a determination described in subsection (3) of this
4 section, an individual described in subsection (1) of this section shall
5 inform the district attorney for the county in which the property is
6 located of the determination and may request that the district attorney
7 petition the court in the county in which the property is located
8 for an order providing:

9 “(a) A declaration that the building or structure, or part of the
10 building or structure, described in subsection (3) of this section is an
11 imminent threat and danger to the public health and safety;

12 “(b) For the removal or demolition of the building or structure, or
13 part of the building or structure; and

14 “(c) A warrant allowing for entry onto the property on which the
15 building or structure, or part of the building or structure, is located
16 for the purpose of removal or demolition of the building or
17 structure.”.

18 In line 4, delete “11” and insert “12”.

19 In line 11, delete “12” and insert “13”.

20
