

HOUSE AMENDMENTS TO HOUSE BILL 2533

By COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

March 20

- 1 On page 1 of the printed bill, line 2, after the semicolon insert “creating new provisions; and”.
- 2 Delete lines 4 through 31 and delete page 2 and insert:
- 3 “**SECTION 1.** ORS 602.010 is amended to read:
- 4 “602.010. As used in this chapter, the term:
- 5 “(1) ‘Apiary’ and ‘apiary property’ includes bees, honey, beeswax, bee comb, hives, frames and
- 6 other equipment, appliances and material used in connection with an apiary.
- 7 “(2) ‘Appliances’ means any implement or device used in the manipulating of bees or their brood
- 8 or hives, which may be used in any apiary.
- 9 “(3) ‘Bees’ means honey-producing insects of the genus *Apis* and includes the adults, eggs,
- 10 larvae, pupae or other immature stages thereof, together with such materials as are deposited into
- 11 hives by their adults, except honey and beeswax in rendered form.
- 12 “(4) ‘Colony’ or ‘colonies of bees’ refers to any hive occupied by bees.
- 13 “(5) ‘Department’ means the State Department of Agriculture.
- 14 “(6) ‘Disease’ means pests, disease or any condition affecting bees or their brood.
- 15 “(7) ‘Hive’ means any receptacle or container made or prepared for use of bees, or box or similar
- 16 container taken possession of by bees.
- 17 “(8) ‘Location’ means the premises upon which an apiary is located.
- 18 “(9) ‘Nucleus colony’ means a colony that is used primarily to produce new queens or
- 19 workers for the purpose of starting a new colony or adding to an existing colony.
- 20 “[9] (10) ‘Person’ includes any individual, partnership, association or corporation, but does not
- 21 include any common carrier when engaged in the business of transporting bees, hives, appliances,
- 22 bee cages or other commodities which are the subject of this chapter, in the regular course of
- 23 business.
- 24 “**SECTION 2.** ORS 602.045 is amended to read:
- 25 “602.045. A local government may:
- 26 “(1) Adopt ordinances consistent with the best practices described in ORS 602.035; and
- 27 “(2) Charge a reasonable fee for registering hives in residential areas [*in accordance with the*
- 28 *rules established in ORS 602.090*]. **The fee that a local government charges for registering hives**
- 29 **in residential areas may not exceed the amount charged under State Department of Agri-**
- 30 **culture rules for the registration of colonies that are subject to fees under ORS 602.090 (3).**
- 31 “**SECTION 3.** ORS 602.090 is amended to read:
- 32 “602.090. (1) Every person who owns or is in charge of five or more colonies of bees located
- 33 within this state, shall cause the colonies to be registered with the State Department of Agriculture
- 34 [*as in this section provided*].
- 35 “(2) Application for registration shall be made on a form furnished by the department. The reg-

1 istration shall cover each colony of bees owned by the applicant, and shall give the address and
2 telephone number of the owner and the name, address and telephone number of the person in charge
3 if the person in charge is not the owner. The registration shall be made before June 1 of each year
4 for all colonies. Each registrant shall furnish an address to which any notice required by this
5 chapter to be given may be sent, and shall agree that any notice sent by the department to such
6 address shall be deemed to be notice in fact.

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

12 “(4) **There is no per application fee or per colony fee to register a nucleus colony. How-**
13 **ever, this subsection does not cancel or reduce any fee under subsection (3) of this section**
14 **payable by a person for the registration of other colonies.**

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

20 “[*(5)*] (6) The department shall maintain records of registered beekeepers and the number of
21 colonies registered.

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