

House Bill 3243

Sponsored by Representative RESCHKE

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**.

Provides that civil penalty imposed as result of violation of COVID-19 emergency rule becomes due and payable 50 years after order imposing penalty becomes final.

A BILL FOR AN ACT

1
2 Relating to civil penalties for violation of COVID-19 emergency rules.

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

4 **SECTION 1. (1) As used in this section, "COVID-19 emergency rule" means an executive**
5 **order or agency rule issued or adopted during and related to the state of emergency declared**
6 **by the Governor on March 8, 2020, and any extension of the state of emergency.**

7 **(2) Notwithstanding ORS 183.745, a civil penalty imposed as a result of violation of a**
8 **COVID-19 emergency rule becomes due and payable 50 years after the order imposing the**
9 **civil penalty becomes final by operation of law or on appeal. The state may not take any**
10 **action to collect a civil penalty subject to this section until the penalty becomes due and**
11 **payable as provided in this section.**

12 **(3) When an order imposing a civil penalty subject to this section becomes final by op-**
13 **eration of law or on appeal, and the amount of penalty is not paid within 50 years after the**
14 **order becomes final, the order may be recorded with the county clerk in any county of this**
15 **state. The clerk shall thereupon record the name of the person incurring the penalty and the**
16 **amount of the penalty in the County Clerk Lien Record.**

17 **SECTION 2. Section 1 of this 2021 Act applies to all civil penalties imposed as a result**
18 **of violation of a COVID-19 emergency rule, as defined in section 1 of this 2021 Act, whether**
19 **imposed before, on or after the effective date of this 2021 Act.**

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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.