

## SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2819

By COMMITTEE ON JUDICIARY

June 6

1 Delete lines 4 through 21 of the printed A-engrossed bill and insert:

2 “**SECTION 1.** ORS 477.985 is amended to read:

3 “477.985. (1) **As used in this section:**

4 “(a) ‘**Credible witness**’ means a person who has observed conduct alleged to constitute a  
5 violation and whose statement about the observation is reliable based on:

6 “(A) **The content of the observation;**

7 “(B) **The circumstances around the observation; and**

8 “(C) **Whether the observation is consistent with any other evidence.**

9 “(b) ‘**Enforcement officer**’ means the State Forester or a person authorized by the State  
10 **Forester.**

11 “(2) *[In addition to any other persons permitted to enforce violations, the State Forestry Depart-*  
12 *ment and the State Forester, or any employee specifically designated by the department or by the State*  
13 *Forester,]* **An enforcement officer** may issue *[citations for violations]* **a citation for a violation**  
14 established under ORS 477.993 in the manner provided by ORS chapter 153.

15 “(3) **Notwithstanding ORS 153.042, an enforcement officer may issue a citation for a vio-**  
16 **lation as described in subsection (2) of this section when the enforcement officer did not**  
17 **observe the conduct alleged to constitute a violation if the enforcement officer has probable**  
18 **cause to believe that the conduct constitutes a violation based on physical evidence or a**  
19 **statement provided by a credible witness.”.**