

Enrolled Senate Bill 832

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Tina Kotek for State Department of Agriculture)

CHAPTER

AN ACT

Relating to civil penalties for laws implemented by the State Department of Agriculture; creating new provisions; and amending ORS 596.995.

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

SECTION 1. ORS 596.995 is amended to read:

596.995. (1) Any manufacturer of an animal remedy, veterinary biologic or pharmaceutical who violates any provision of ORS 596.100 or 596.105 applicable to manufacturers or any rule adopted pursuant thereto or the terms or conditions of any license, registration or order issued by the State Department of Agriculture under ORS 596.100 or 596.105 shall be subject to a civil penalty not to exceed \$2,500 per violation.

(2) Any person that violates any provision of ORS 596.075, 596.321, 596.331 (1), 596.351, 596.388, 596.392 (1) to (3) or (6), 596.404 to 596.416 or 596.460, any rule adopted pursuant thereto or the terms or conditions of any order of the department issued pursuant thereto shall be subject to a civil penalty not to exceed \$1,000 per violation.

(3) Any person that violates any provision of ORS 596.331 (2), 596.355, 596.392 (4) or (5) or 596.394 to 596.402, any rule adopted pursuant thereto or the terms or conditions of any order issued pursuant thereto shall be subject to a civil penalty not to exceed \$5,000 per violation.

(4) Civil penalties under this section are in addition to any other penalty provided by law.

[(2)] (5) Each violation **described in this section** may be a separate and distinct offense, and, in the case of a continuing violation, each day's continuance thereof may be deemed a separate and distinct offense.

[(3)] (6) The department shall adopt a schedule or schedules establishing the amount of civil penalty that may be imposed for a particular violation.

[(4)] (7) Civil penalties under this section shall be imposed in the manner provided in ORS 183.745.

(8) The department shall deposit all moneys from penalties recovered under this section into the Department of Agriculture Service Fund established by ORS 561.144. Moneys deposited under this subsection are continuously appropriated to the department for carrying out the administration and enforcement of the laws, rules or orders under which the penalties are assessed.

SECTION 2. (1) Any person that violates any provision of ORS 600.095 or a quarantine imposed under ORS 600.105, any rule adopted pursuant thereto or the terms or conditions

of any order issued pursuant thereto shall be subject to a civil penalty not to exceed \$5,000 per violation.

(2) Civil penalties under this section are in addition to any other penalty provided by law.

(3) Each violation described in this section may be a separate and distinct offense, and, in the case of a continuing violation, each day's continuance thereof may be deemed a separate and distinct offense.

(4) The State Department of Agriculture shall adopt a schedule or schedules establishing the amount of civil penalty that may be imposed for a particular violation.

(5) Civil penalties under this section shall be imposed in the manner provided in ORS 183.745.

(6) The department shall deposit all moneys from penalties recovered under this section into the Department of Agriculture Service Fund established by ORS 561.144. Moneys deposited under this subsection are continuously appropriated to the department for carrying out the administration and enforcement of the laws, rules or orders under which the penalties are assessed.

SECTION 3. (1) Any person that violates any provision of ORS 633.006 to 633.089, any rule adopted pursuant thereto or the terms or conditions of any order issued pursuant thereto shall be subject to a civil penalty not to exceed \$10,000 per violation.

(2) Civil penalties under this section are in addition to any other penalty provided by law.

(3) Each violation described in this section may be a separate and distinct offense, and, in the case of a continuing violation, each day's continuance thereof may be deemed a separate and distinct offense.

(4) The State Department of Agriculture shall adopt a schedule or schedules establishing the amount of civil penalty that may be imposed for a particular violation.

(5) Civil penalties under this section shall be imposed in the manner provided in ORS 183.745.

(6) The department shall deposit all moneys from penalties recovered under this section into the Department of Agriculture Service Fund established by ORS 561.144. Moneys deposited under this subsection are continuously appropriated to the department for carrying out the administration and enforcement of the laws, rules or orders under which the penalties are assessed.

(7) If a civil penalty under this section remains unpaid after the date it becomes due and owing as specified in the final order imposing the civil penalty, in accordance with ORS chapter 183 contested case procedures and until the civil penalty is paid in full, the department may:

(a) Notwithstanding ORS 633.015 (1), suspend, revoke or refuse to issue or renew a certificate of registration, under ORS 633.015, to or for the person to whom the final order is issued;

(b) Notwithstanding ORS 633.029 (1)(a), suspend, revoke or refuse to issue or renew a license, under ORS 633.029, to or for the person to whom the final order is issued; and

(c) Withhold from the person to whom the final order is issued the issuance or renewal of a license or certificate of registration under any other program administered by the department.

Passed by Senate June 10, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House June 16, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State