

HB 2944-A7
(LC 3115)
5/7/25 (JAS/ps)

Requested by SENATE COMMITTEE ON LABOR AND BUSINESS

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2944**

1 On page 2 of the printed A-engrossed bill, delete lines 24 through 32 and
2 insert:

3 “(c)(A) Notwithstanding paragraph (a) of this subsection, but subject to
4 subparagraph (C) of this paragraph, if the board finds that the public em-
5 ployer named in the complaint has violated ORS 243.804 (4) or 243.806 (7) and
6 that the employer has previously violated either provision, the board shall
7 impose a civil penalty of not less than \$1,000 nor more than \$5,000. For any
8 subsequent violation, the board shall impose a civil penalty of not less than
9 \$5,000 nor more than \$10,000.

10 “(B) In determining the amount of the civil penalty to impose under this
11 paragraph, the board shall consider extenuating circumstances that the em-
12 ployer has proven contributed to or caused the violation. An extenuating
13 circumstance is not an affirmative defense to a violation described in sub-
14 paragraph (A) of this paragraph.

15 “(C) A finding of a violation under subparagraph (A) of this paragraph
16 shall not be subject to a civil penalty under subparagraph (A) of this para-
17 graph if the employer establishes that the violation resulted directly from:

18 “(i) A natural disaster, as defined in ORS 197.488;

19 “(ii) A computer crime, as defined in ORS 164.377; or

20 “(iii) Destruction by fire, flood, or other catastrophic event at the
21 employer’s place of business that significantly disrupted the public

1 employer's operations relating to the violation.”.

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