

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2819**

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**
5 **alleged to constitute a violation and whose statement about the ob-**
6 **servaion is reliable based on:**

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

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

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

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

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

17 **“(3) Notwithstanding ORS 153.042, an enforcement officer may issue**
18 **a citation for a violation as described in subsection (2) of this section**
19 **when the enforcement officer did not observe the conduct alleged to**
20 **constitute a violation if the enforcement officer has probable cause to**
21 **believe that the conduct constitutes a violation based on physical evi-**

1 **dence or a statement provided by a credible witness.”.**

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