

HOUSE AMENDMENTS TO B-ENGROSSED SENATE BILL 95

By COMMITTEE ON JUDICIARY

June 6

1 On page 1 of the printed B-engrossed bill, delete line 3 and insert “59.995.”.

2 Delete lines 16 and 17 and insert:

3 “(D) Using the income or assets of another person for purposes other than the support and
4 maintenance of the person without the person’s consent.”.

5 On page 3, delete lines 44 and 45 and delete page 4 and insert:

6 “**SECTION 8.** ORS 59.995 is amended to read:

7 “59.995. (1)(a) **Except as provided in paragraph (b) of this subsection**, in addition to all other
8 penalties and enforcement provisions provided by law, any person who violates or who procures,
9 aids or abets [*in*] the violation of ORS 59.005 to 59.451, 59.710 to 59.830, 59.991 and 59.995 or any
10 rule or order of the Director of the Department of Consumer and Business Services shall be subject
11 to a penalty of not more than \$20,000 for every violation, which shall be paid to the General Fund
12 of the State Treasury.

13 “(b) **Notwithstanding paragraph (a) of this subsection, any person who violates or who**
14 **procures, aids or abets the violation of section 3 of this 2017 Act or of any rule adopted by**
15 **the director for administration of sections 2 to 7 of this 2017 Act shall be subject to a penalty**
16 **of not more than \$1,000 for every violation, which shall be paid to the General Fund of the**
17 **State Treasury.**

18 “(2) Every violation **described in subsection (1)(a) of this section** is a separate offense and,
19 in the case of a continuing violation, each day’s continuance is a separate violation, but the maxi-
20 mum penalty for any continuing violation shall not exceed \$100,000.

21 “(3) Civil penalties under this section shall be imposed as provided in ORS 183.745.

22 “(4) This section does not apply to a failure to file a notice and pay a fee pursuant to ORS 59.049
23 (1), (2) or (3), nor to a failure to file a notice and pay a fee pursuant to ORS 59.165 (7), nor to a
24 failure to pay a fee pursuant to ORS 59.175 (8), nor to a violation of any rule adopted by the director
25 under ORS 59.049 (1), (2) or (3), 59.165 (7) or 59.175 (8).”.

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