

Enrolled Senate Bill 496

Sponsored by Senator PROZANSKI; Representative FREEMAN

CHAPTER

AN ACT

Relating to patrolling by county law enforcement officials; creating new provisions; amending section 4, chapter 894, Oregon Laws 2007, and sections 3, 4 and 5, chapter 75, Oregon Laws 2012; and declaring an emergency.

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

SECTION 1. Section 4, chapter 894, Oregon Laws 2007, as amended by section 1, chapter 556, Oregon Laws 2011, and section 1, chapter 75, Oregon Laws 2012, is amended to read:

Sec. 4. (1) Notwithstanding ORS 294.060 and 368.705, moneys described in ORS 294.060 (1) that are received by a county listed in subsection (2) of this section and deposited into that county's road fund may be expended for [*the*] patrolling [*of that county's roads*] **within the county** by [*that*] **the** county's law enforcement officials.

(2) Subsection (1) of this section applies to:

- (a) Coos County;
- (b) Curry County;
- (c) Douglas County;
- (d) Josephine County;
- (e) Klamath County;
- (f) Lane County; and
- (g) Linn County.

(3) Moneys in a county's road fund and expended for patrolling under subsection (1) of this section may be used solely for direct costs and indirect costs associated with patrolling.

(4) As used in this section:

(a)(A) "Direct costs" means costs that can, with a high degree of accuracy, be identified specifically with or directly assigned to a particular award, project, program, service or other organizational activity.

(B) "Direct costs" includes, but is not limited to, salaries, travel, equipment and supplies directly related to patrolling by the county's law enforcement officials.

(b)(A) "Indirect costs" means costs incurred for common or joint objectives that are not direct costs.

(B) "Indirect costs" includes, but is not limited to, the costs of operating and maintaining facilities, depreciation, administrative expenses and dispatch.

(c) "Patrolling" means the activities of a county law enforcement official that are in response to calls for service or initiated by the county law enforcement official.

SECTION 2. The amendments to section 4, chapter 894, Oregon Laws 2007, by section 1 of this 2013 Act apply to moneys received by a county before, on or after the effective date of this 2013 Act.

SECTION 3. Section 3, chapter 75, Oregon Laws 2012, is amended to read:

Sec. 3. Section 4, chapter 894, Oregon Laws 2007, as amended by section 1, chapter 556, Oregon Laws 2011, [and] section 1 [of this 2012 Act], **chapter 75, Oregon Laws 2012, and section 1 of this 2013 Act**, is repealed on January 2, 2016.

SECTION 4. Section 4, chapter 75, Oregon Laws 2012, is amended to read:

Sec. 4. Notwithstanding ORS 294.060, 294.468 (1)(c) and 368.705, a county that receives moneys described in ORS 294.060 (1) and deposits those moneys into the county's road fund may make an interfund loan of the moneys described in ORS 294.060 (1) to any other fund of that county for the purpose of patrolling [of county roads] by county law enforcement officials.

SECTION 5. Section 5, chapter 75, Oregon Laws 2012, is amended to read:

Sec. 5. Notwithstanding ORS 294.468 (2)(c) and (3), an interfund loan by a county that loans moneys described in ORS 294.060 (1) from the county's road fund into any other fund of that county to be used for the purpose of patrolling [of county roads] by county law enforcement officials shall be budgeted and repaid into the county road fund within three years following the end of the ensuing year or ensuing budget period.

SECTION 6. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by Senate March 13, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 14, 2013

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Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2013

Approved:

.....M.,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2013

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Kate Brown, Secretary of State