

Requested by Senator FERRIOLI

**PROPOSED AMENDMENTS TO  
SENATE BILL 144**

1 On page 2 of the printed bill, after line 6, insert:

2 **“SECTION 3. Section 4 of this 2017 Act is added to and made a part**  
3 **of ORS 358.905 to 358.961.**

4 **“SECTION 4. (1)(a) If a district attorney of a county declines to**  
5 **prosecute a violation of ORS 358.920 or 390.235, the district attorney**  
6 **shall give timely written notice to the Attorney General. Upon receipt**  
7 **of the notice, the Attorney General may take full charge of any in-**  
8 **vestigation of, or prosecution for, conduct in violation of ORS 358.920**  
9 **or 390.235.**

10 **“(b) The Attorney General may require the aid and assistance of the**  
11 **district attorney in all matters pertaining to the duties of the Attorney**  
12 **General in the county in which the district attorney holds office.**

13 **“(2) If the Attorney General chooses to investigate or prosecute**  
14 **under this section, the Attorney General shall have all the powers of**  
15 **a district attorney including:**

16 **“(a) The power to issue subpoenas;**

17 **“(b) The power to prepare charging instruments; and**

18 **“(c) All other powers incidental to an investigation or a prosecution**  
19 **authorized under this section.**

20 **“(3) All costs, fees and other expenses shall be paid by the county**  
21 **in which the investigation or prosecution occurs, to the same extent**

1 as if conducted by the district attorney of that county.

2 “(4) The power granted to the Attorney General by this section does  
3 not deprive a district attorney of any authority or relieve a district  
4 attorney from any duty to prosecute criminal violations of law and  
5 advise the officers of the county in which the district attorney holds  
6 office.”.

7

---