

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 977

By COMMITTEE ON JUDICIARY

May 28

1 In line 2 of the printed A-engrossed bill, after the semicolon delete the rest of the line and insert
2 “amending ORS 3.041 and 51.020; repealing ORS 51.270 and 51.280; and declaring an emergency.”.

3 After line 4, insert:

4 “**SECTION 2.** ORS 51.020 is amended to read:

5 “51.020. (1) The county court or board of county commissioners of every county may set off and
6 establish, or modify the boundaries of, justice of the peace districts within the county. No more than
7 six justice of the peace districts shall be set off or established or permitted to remain in existence
8 within any county. Except in the counties of Baker, **Crook**, Gilliam, Grant, Harney, Morrow,
9 Sherman, Tillamook and Wheeler, a justice of the peace district may not include any portion of the
10 city that is the county seat for the county or any portion of a city in which a circuit court regularly
11 holds court. In the counties of Baker, Gilliam, Grant, Harney, Morrow, Sherman, Tillamook and
12 Wheeler, a justice of the peace district in existence on January 15, 1998, may include any portion
13 of the city that is the county seat for the county, or any portion of a city in which a circuit court
14 regularly holds court, until such time as the justice court ceases to provide judicial services within
15 the county seat or city. If the justice court ceases to provide judicial services within the county seat
16 or city, the district that includes portions of the county seat or city shall cease to exist and may
17 not thereafter be reestablished.

18 “(2) At the time that the county court or board of county commissioners of a county sets off and
19 establishes the boundaries of a justice of the peace district, the county court or board of county
20 commissioners may require as a qualification for the office that a person serving as justice of the
21 peace in the district be a member of the Oregon State Bar.

22 “(3) The prohibition of subsection (1) of this section on a justice of the peace district that in-
23 cludes any portion of the city that is the county seat for the county, or any portion of a city in
24 which a circuit court regularly holds court, does not prevent a justice of the peace from conducting
25 an arraignment for a person in custody in the city that is the county seat for the county, or in a
26 city in which a circuit court regularly holds court, if the accusatory instrument for the offense was
27 filed in the justice court and the offense was committed within the boundaries of the justice of the
28 peace district.

29 “**SECTION 3.** ORS 3.041 is amended to read:

30 “3.041. (1) Each judge of the circuit court shall be a citizen of the United States and a resident
31 of this state.

32 “(2) **Except as provided in subsections (3) and (4) of this section**, each judge of the circuit
33 court shall be a resident of or have principal office in the judicial district for which the judge is
34 elected or appointed[, *except that in any judicial district having a population of 500,000 or more, ac-*
35 *ording to the latest federal decennial census, any judge of the circuit court may reside within 10 miles*

1 *of the boundary of the judicial district.] or in a judicial district adjacent to the judicial district*
2 **for which the judge is elected or appointed.**

3 “(3) In the seventh judicial district, two of the judges of the circuit court shall be residents of
4 or have principal offices in Wasco County, Sherman County, Gilliam County or Wheeler County and
5 two shall be residents of or have principal offices in Hood River County, Sherman County, Gilliam
6 County or Wheeler County.

7 “(4) In the fifteenth judicial district, four of the judges of the circuit court shall be residents of
8 or have principal offices in Coos County and two shall be residents of or have principal offices in
9 Curry County.

10 “(5) The residence within this state required by subsection (1) of this section shall have been
11 maintained for at least three years, and the residence or principal office required by subsections (2)
12 to (4) of this section shall have been maintained for at least one year, immediately prior to ap-
13 pointment or becoming a candidate for election to the office of circuit court judge.

14 **“SECTION 4. This 2019 Act being necessary for the immediate preservation of the public**
15 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
16 **on its passage.”**

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