

Senate Joint Resolution 10

Sponsored by Senator GELSER, Representative POWER, Senator KNOPP (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Proposes amendment to Oregon Constitution to authorize Legislative Assembly to enact laws permitting court to temporarily exclude legislator or other elected official from Capitol or other workplace if court determines physical presence of legislator or other elected official creates hostile environment for others in Capitol or other workplace.

Refers proposed amendment to people for their approval or rejection at next regular general election.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section 5 to be added to and made a part of Article III, such section to read:

SECTION 5. (1) Notwithstanding section 1 of this Article or any other conflicting provision of this Constitution, the Legislative Assembly may by law authorize a court to review the conduct of a legislator or other elected official to determine whether there is reasonable cause to conclude that the physical presence in the Capitol of the legislator, or in the workplace of the elected official, creates a hostile environment for others. A law that authorizes the court review described in this section shall also provide for an expedited process to permit the court to make a finding under this section within 10 days of the matter being brought before the court. If a court determines that reasonable cause exists for the presence of a legislator or elected official to create a hostile environment for others, the court shall order the temporary exclusion of the legislator or elected official from the Capitol or workplace until there is a final resolution of any proceeding undertaken under the disciplinary process applicable to the legislator or other elected official.

(2) Notwithstanding subsection (1) of this section, a court may not prohibit a legislator or elected official from attending any proceeding that is investigating, deliberating or otherwise taking up the question of the discipline of that legislator or elected official.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.