

SB 977-A7  
(LC 1429)  
5/21/19 (MNJ/ps)

Requested by HOUSE COMMITTEE ON JUDICIARY (at the request of Representative Jennifer Williamson)

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 977**

1 In line 2 of the printed A-engrossed bill, after the semicolon delete the  
2 rest of the line and insert “amending ORS 3.041 and 51.020; repealing ORS  
3 51.270 and 51.280; and declaring an emergency.”.

4 After line 4, insert:

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

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

1 established.

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

7 “(3) The prohibition of subsection (1) of this section on a justice of the  
8 peace district that includes any portion of the city that is the county seat  
9 for the county, or any portion of a city in which a circuit court regularly  
10 holds court, does not prevent a justice of the peace from conducting an  
11 arraignment for a person in custody in the city that is the county seat for  
12 the county, or in a city in which a circuit court regularly holds court, if the  
13 accusatory instrument for the offense was filed in the justice court and the  
14 offense was committed within the boundaries of the justice of the peace dis-  
15 trict.

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

17 “3.041. (1) Each judge of the circuit court shall be a citizen of the United  
18 States and a resident of this state.

19 “(2) **Except as provided in subsections (3) and (4) of this section,**  
20 each judge of the circuit court shall be a resident of or have principal office  
21 in the judicial district for which the judge is elected or appointed[, *except*  
22 *that in any judicial district having a population of 500,000 or more, according*  
23 *to the latest federal decennial census, any judge of the circuit court may reside*  
24 *within 10 miles of the boundary of the judicial district.*] **or in a judicial**  
25 **district adjacent to the judicial district for which the judge is elected**  
26 **or appointed.**

27 “(3) In the seventh judicial district, two of the judges of the circuit court  
28 shall be residents of or have principal offices in Wasco County, Sherman  
29 County, Gilliam County or Wheeler County and two shall be residents of or  
30 have principal offices in Hood River County, Sherman County, Gilliam

1 County or Wheeler County.

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

5 “(5) The residence within this state required by subsection (1) of this  
6 section shall have been maintained for at least three years, and the residence  
7 or principal office required by subsections (2) to (4) of this section shall have  
8 been maintained for at least one year, immediately prior to appointment or  
9 becoming a candidate for election to the office of circuit court judge.

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

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