

# House Bill 2628

Sponsored by Representative NEARMAN (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**.

Establishes Office of the State Prosecutor under authority of State Land Board. Authorizes State Prosecutor to prosecute violations of law occurring in cities with population that exceeds 300,000. Appropriates moneys to board to fund office.

Sunsets on December 31, 2027.

## A BILL FOR AN ACT

1  
2 Relating to the Office of the State Prosecutor.

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

4 **SECTION 1. (1)(a) There is established under the authority of the State Land Board the**  
5 **Office of the State Prosecutor. The board shall, by a vote of a majority of the members of**  
6 **the board, appoint a person to serve as the State Prosecutor. At the time of the appoint-**  
7 **ment, the appointee must have been admitted to practice in the Supreme Court of Oregon.**

8 **(b) The State Prosecutor serves at the pleasure of the board and may be removed by the**  
9 **board for good cause, or without cause with 60 days' advance notice of removal. If there is**  
10 **a vacancy for any reason, the board shall make an appointment within 60 days.**

11 **(c) The State Prosecutor shall be compensated at a rate equivalent to that of a district**  
12 **attorney and shall be reimbursed for all reasonable travel and other expenses incurred in the**  
13 **performance of official duties.**

14 **(2) The State Prosecutor may take full charge of any investigation or prosecution of a**  
15 **violation of law in which the circuit court has jurisdiction that occurs in a city with a pop-**  
16 **ulation that exceeds 300,000.**

17 **(3) The State Prosecutor may:**

18 **(a) Hire deputy state prosecutors and investigators to carry out the duties of the office;**

19 **(b) Prescribe the qualifications and duties of persons hired by the State Prosecutor; and**

20 **(c) Fix the compensation, including reasonable travel and other expenses incurred in the**  
21 **performance of official duties, of persons hired by the State Prosecutor.**

22 **(4) When acting under this section, the State Prosecutor shall have all the powers of a**  
23 **district attorney, including the power to issue or cause to be issued subpoenas or other**  
24 **process. The State Prosecutor may, with or without the concurrence of the district attor-**  
25 **ney, direct a grand jury to convene for investigation and consideration of criminal matters.**  
26 **The State Prosecutor may take full charge of the presentation of evidence to the grand jury,**  
27 **and may issue subpoenas, prepare indictments and perform all other functions to the same**  
28 **extent as the district attorney.**

29 **SECTION 2. In addition to and not in lieu of any other appropriation, there is appropri-**  
30 **ated to the State Land Board, for the biennium beginning July 1, 2021, out of the General**

**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.

1 **Fund, the amount of \$\_\_\_\_\_ , for the purposes of funding the Office of the State**  
2 **Prosecutor established by section 1 of this 2021 Act.**

3 **SECTION 3. Section 1 of this 2021 Act is repealed on December 31, 2027.**

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