

Enrolled Senate Bill 801

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CHAPTER

AN ACT

Relating to the office of Adjutant General; amending ORS 396.165.

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

SECTION 1. ORS 396.165 is amended to read:

396.165. (1) The Adjutant General may appoint [*three*] **four** Assistant Adjutants General, two from the Army National Guard of Oregon and [*one*] **two** from the Air National Guard of Oregon who shall serve at the pleasure of the Adjutant General or until relieved by reason of resignation, withdrawal of federal recognition or for cause to be determined by a court-martial. Voluntary entry onto extended active duty by a person holding the office of Assistant Adjutant General shall be deemed automatic resignation of such officer.

(2) To be eligible for appointment to the office of Assistant Adjutant General, a person must be an officer of the Oregon National Guard, federally recognized in the grade of lieutenant colonel or higher, and must have completed at least six years service in the Oregon National Guard as a federally recognized officer.

(3) An Assistant Adjutant General may be appointed in the grade of lieutenant colonel or higher, but not exceeding that of brigadier general. An Assistant Adjutant General may be promoted by the Governor to any grade not exceeding that of brigadier general, to serve in such grade only upon receipt of federal recognition therein.

(4) The Assistant Adjutants General shall perform such duties as may be assigned by the Adjutant General.

(5) An Assistant Adjutant General shall be compensated at a rate determined by the Oregon Department of Administrative Services.

(6) In any absence of the Adjutant General caused by death or other inability to perform the duties of the office, the Governor or the Adjutant General may designate an Assistant Adjutant General to be the Acting Adjutant General. Except when the Governor or the Adjutant General designates another of the Assistant Adjutants General to be the Acting Adjutant General, the Assistant Adjutant General senior in military grade shall assume the responsibilities and powers and perform all the duties required of the Adjutant General, and shall be Acting Adjutant General. An officer serving as Acting Adjutant General under this section shall continue to receive the salary authorized for an Assistant Adjutant General, when the officer is a state employee, but shall otherwise receive the salary authorized for the Adjutant General. The Acting Adjutant General shall serve until the Adjutant General is again able to perform the duties of the office, or if such office is vacant, until an Adjutant General is regularly appointed and qualified. [*While so serving,*] **Within**

30 days after assuming the duties of the office, the Acting Adjutant General shall give to the state a fidelity bond in the same manner and in the same sum as is required from the Adjutant General.

Passed by Senate February 27, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 13, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State