

**REVENUE: No revenue impact**

**FISCAL: No fiscal impact**

---

<b>Action:</b>	Do Pass and Be Placed on the Consent Calendar
<b>Vote:</b>	7 - 0 - 2
<b>Yeas:</b>	Barker, Bonamici, Cameron, Komp, Krieger, Read, Macpherson
<b>Nays:</b>	0
<b>Exc.:</b>	Flores, Whisnant
<b>Prepared By:</b>	Matt Kalmanson, Counsel
<b>Meeting Dates:</b>	5/3

---

**WHAT THE MEASURE DOES:** Allows the state or defendant in a criminal case to serve a subpoena for documents on a corporation or limited partnership in the manner described in the Oregon Rules of Civil Procedure (ORCP).

**ISSUES DISCUSSED:**

- Need to serve subpoenas on out-of-state corporations in criminal cases when corporation is not defendant
- Current practice for serving corporations in criminal matters
- Mechanics of ORCP 7D(3)
- Search warrants when corporation is a defendant

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** ORCP 7D(3) allows parties in a civil action to serve subpoenas on foreign or domestic corporations, or limited partnerships, by personally serving the registered agents, officers, directors, general partners or managing agents. The rule also provides a number of alternative methods for service, including mailing the subpoena to the corporation's principal place of business. ORS 136.580 permits the state or defendant in a criminal case to serve a subpoena for documents to be produced to the court. However, ORS 136.595, which describes how to serve a subpoena, does not expressly refer to serving corporations. SB 112 clarifies that the methods described in the civil rules for serving corporations apply in the criminal arena.