

# House Bill 2307

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary)

## 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**.

Expands juvenile court's delinquency jurisdiction.

### A BILL FOR AN ACT

1  
2 Relating to juveniles; amending ORS 419C.005.

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

4 **SECTION 1.** ORS 419C.005 is amended to read:

5 419C.005. (1) Except as otherwise provided in ORS 137.707, the juvenile court has exclusive or-  
6 iginal jurisdiction in any case involving a person who is under 18 years of age and who has:

7 (a) Committed an act that is a violation, or that if done by an adult would constitute a violation,  
8 of a law or ordinance of the United States or a state, county or city; **or**

9 (b) **Engaged in sexual intercourse or deviate sexual intercourse, as those terms are de-  
10 fined in ORS 163.305.**

11 (2) The provisions of subsection (1) of this section do not prevent a court of competent juris-  
12 diction from entertaining a civil action or suit involving a youth.

13 (3) The court does not have jurisdiction as provided in subsection (1) of this section after a mi-  
14 nor has been emancipated pursuant to ORS 419B.550 to 419B.558.

15 (4) The court's jurisdiction over a person under this section or ORS 419C.067 continues until  
16 one of the following occurs:

17 (a) The court dismisses a petition filed under this chapter or waives the case under ORS  
18 419C.340. If jurisdiction is based on a previous adjudication, then dismissal or waiver of a later case  
19 does not terminate jurisdiction under the previous case unless the court so orders.

20 (b) The court transfers jurisdiction of the case as provided in ORS 419C.053, 419C.056 and  
21 419C.059.

22 (c) The court enters an order terminating jurisdiction.

23 (d) The person becomes 25 years of age.

24 **SECTION 2.** ORS 419C.005, as amended by section 7, chapter 843, Oregon Laws 2005, is  
25 amended to read:

26 419C.005. (1) Except as otherwise provided in ORS 137.707, the juvenile court has exclusive or-  
27 iginal jurisdiction in any case involving a person who is under 18 years of age and who has:

28 (a) Committed an act that is a violation, or that if done by an adult would constitute a violation,  
29 of a law or ordinance of the United States or a state, county or city; **or**

30 (b) **Engaged in sexual intercourse or deviate sexual intercourse, as those terms are de-  
31 fined in ORS 163.305.**

**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 (2) The provisions of subsection (1) of this section do not prevent a court of competent juris-  
2 diction from entertaining a civil action or suit involving a youth.

3 (3) The court does not have jurisdiction as provided in subsection (1) of this section after a mi-  
4 nor has been emancipated pursuant to ORS 419B.550 to 419B.558.

5 (4) The court's jurisdiction over a person under this section or ORS 419C.067 continues until  
6 one of the following occurs:

7 (a) The court dismisses a petition filed under this chapter or waives the case under ORS  
8 419C.340. If jurisdiction is based on a previous adjudication, then dismissal or waiver of a later case  
9 does not terminate jurisdiction under the previous case unless the court so orders.

10 (b) The court transfers jurisdiction of the case as provided in ORS 419C.053, 419C.056 and  
11 419C.059.

12 (c) The court enters an order terminating jurisdiction.

13 (d) The person becomes 25 years of age.

14 (e) The court places the person under the jurisdiction of the Psychiatric Security Review Board  
15 as provided in ORS 419C.529. If the court also has jurisdiction over the person based on a previous  
16 adjudication under this chapter or ORS chapter 419B, placing a person under the jurisdiction of the  
17 board in a later case does not terminate wardship under the previous case unless the court so or-  
18 ders.

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