

House Bill 2339

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

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**.

Authorizes state or defendant to obtain financial records in response to subpoena in criminal actions. Requires production of financial records directly to court or grand jury. Allows production of financial records to grand jury without personal service on customer whose records are sought.

A BILL FOR AN ACT

1
2 Relating to subpoenas for financial records in criminal actions.

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

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS chapter 136.**

5 **SECTION 2. (1) As used in this section:**

6 (a) **"Customer" has the meaning given that term in ORS 192.550; and**

7 (b) **"Financial records" has the meaning given that term in ORS 192.550.**

8 (2) **The state or the defendant may obtain financial records by subpoena. Custodians of**
9 **financial records shall produce records only to the court or the clerk of the court before**
10 **which the matter is pending, or, in relation to grand jury proceedings, to the grand jury.**
11 **Notwithstanding ORS 192.565, grand jury subpoenas do not require personal service upon the**
12 **customer whose financial records are sought.**
13

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.