

Enrolled
Senate Bill 72

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Secretary of State Bill Bradbury)

CHAPTER

AN ACT

Relating to Division of Audits investigations; creating new provisions; and amending ORS 297.110 and 297.120.

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

SECTION 1. ORS 297.110 is amended to read:

297.110. As used in **this section and ORS 291.226 and 297.120 [and 297.210]:**

(1) [*“Public officer” means any elected or appointed state officer, including members of boards and commissions.*] **“Public official” means any person who is serving a state agency as an officer, employee, member, agent or otherwise, regardless of whether the person is compensated for the person’s services.**

(2) “State agency” means any state department, division, bureau or other agency or body headed by an elected or appointed state officer or member of a board or commission.

SECTION 2. ORS 297.120 is amended to read:

297.120. (1) When a state agency sustains a loss of **\$100 or more of** public funds or property under circumstances involving a public [*officer*] **official** who is entrusted with the custody of the funds or property or who is charged with the duty to account for the funds or property, the agency shall, **within 30 days after discovery of the loss,** report the loss in writing to the Division of Audits.

(2) Within 30 days [*of discovering the loss of public funds or property*] **after receiving the report under subsection (1) of this section,** the [*Division of Audits may*] **division shall determine whether to** investigate the loss.

(3) **If the division investigates a loss, the division shall [and] prepare a report [respecting] regarding** the accountability of the public [*officer*] **official** for the loss. The report shall be presented to the Governor.

SECTION 3. The amendments to ORS 297.110 and 297.120 by sections 1 and 2 of this 2007 Act apply to discoveries of losses by state agencies occurring on or after the effective date of this 2007 Act.

Passed by Senate February 19, 2007

.....
Secretary of Senate

.....
President of Senate

Passed by House May 7, 2007

.....
Speaker of House

Received by Governor:

.....M,....., 2007

Approved:

.....M,....., 2007

.....
Governor

Filed in Office of Secretary of State:

.....M,....., 2007

.....
Secretary of State