

Senate Bill 72

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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 definition of persons who may be held accountable for loss of public funds or property in amount of \$100 or more. Directs state agencies to report discovery of loss within 30 days after discovery. Directs Division of Audits to determine whether to investigate loss within 30 days after receipt of report.

A BILL FOR AN ACT

1
2 Relating to Division of Audits investigations; creating new provisions; and amending ORS 297.110
3 and 297.120.

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

5 **SECTION 1.** ORS 297.110 is amended to read:

6 297.110. As used in **this section and ORS 291.226 and 297.120** [*and 297.210*]:

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

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

13 **SECTION 2.** ORS 297.120 is amended to read:

14 297.120. (1) When a state agency sustains a loss of **\$100 or more of** public funds or property
15 under circumstances involving a public [*officer*] **official** who is entrusted with the custody of the
16 funds or property or who is charged with the duty to account for the funds or property, the agency
17 shall, **within 30 days after discovery of the loss**, report the loss in writing to the Division of
18 Audits.

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

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

25 **SECTION 3.** **The amendments to ORS 297.110 and 297.120 by sections 1 and 2 of this 2007**
26 **Act apply to discoveries of losses by state agencies occurring on or after the effective date**
27 **of this 2007 Act.**
28

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.