

# House Bill 2265

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Attorney General Hardy Myers for Department of Justice)

## 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**.

Provides that search warrant authorizing seizure of items from corporation or limited partnership may be executed in manner provided by Oregon Rules of Civil Procedure for service of summons.

## A BILL FOR AN ACT

1  
2 Relating to search warrants; creating new provisions; and amending ORS 133.575.

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

4 **SECTION 1.** ORS 133.575 is amended to read:

5 133.575. (1) **Except as provided in subsection (4) of this section**, a search warrant may be  
6 executed only within the period and at the times authorized by the warrant and only by a police  
7 officer. A police officer charged with its execution may be accompanied by such other persons as  
8 may be reasonably necessary for the successful execution of the warrant with all practicable safety.

9 (2) The executing officer shall, before entering the premises, give appropriate notice of the  
10 identity, authority and purpose of the officer to the person to be searched, or to the person in ap-  
11 parent control of the premises to be searched, as the case may be.

12 (3) Except as provided in ORS 133.619, before undertaking any search or seizure pursuant to the  
13 warrant, the executing officer shall read and give a copy of the warrant to the person to be  
14 searched, or to the person in apparent control of the premises to be searched. If the premises are  
15 unoccupied or there is no one in apparent control, the officer shall leave a copy of the warrant  
16 suitably affixed to the premises.

17 (4) **A search warrant that authorizes the seizure of papers, documents, records or other**  
18 **things from a corporation or limited partnership may be executed in the manner provided**  
19 **by ORCP 7 D(3)(b) for the service of a summons.**

20 **SECTION 2.** The amendments to ORS 133.575 by section 1 of this 2009 Act apply to search  
21 warrants executed on or after the effective date of this 2009 Act.  
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**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.