

House Bill 3066

Sponsored by Representative BARTON

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 court to require person who violates restraining order to wear global positioning system tracking device that notifies petitioner and law enforcement agencies if person enters any area that court has prohibited person from entering. Authorizes court to require person being monitored with device to pay all or portion of cost of monitoring.

A BILL FOR AN ACT

1
2 Relating to restraining orders.

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

4 **SECTION 1. (1) If a court determines that a person has violated a restraining order de-**
5 **scribed in subsection (4) of this section, the court may require the person to wear a global**
6 **positioning system tracking device to ensure that the person does not enter any area that**
7 **the court has prohibited the person from entering. The tracking device must:**

8 (a) **Track and record data relating to the person's location; and**

9 (b) **If the person enters an area that the court has prohibited the person from entering,**
10 **transmit the person's location data, by telephone, electronic beeper, paging device or other**
11 **similar instrument, to the petitioner and to the municipal police department or county**
12 **sheriff with jurisdiction over the area that the person has entered.**

13 (2) **The Department of Corrections shall issue and monitor global positioning system**
14 **tracking devices required under this section. The department may enter into an intergov-**
15 **ernmental agreement with a county that requires the supervisory authority, as defined in**
16 **ORS 144.087, to issue and monitor global positioning system tracking devices for persons re-**
17 **quired to wear a global positioning system tracking device under this section.**

18 (3) **The court may require the person to pay all or a portion of the costs of monitoring**
19 **the person through the global positioning system tracking device. Payments received by the**
20 **clerk of the court under this subsection shall be paid into the State Treasury for deposit in**
21 **the Department of Corrections Account established under ORS 423.097.**

22 (4) **This section applies to:**

23 (a) **An order issued under ORS 30.866, 107.095 (1)(c) or (d), 107.716, 107.718, 124.015, 124.020,**
24 **163.738 or 419B.845; or**

25 (b) **A foreign restraining order as defined in ORS 24.190.**

26 **SECTION 2. Section 1 of this 2009 Act applies only to restraining orders entered on or**
27 **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.