

Enrolled
Senate Bill 577

Sponsored by Senator METSGER

CHAPTER

AN ACT

Relating to certification of appeals to the Supreme Court; and declaring an emergency.

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

SECTION 1. (1) This section applies to any appeal of a judgment entered in an action that was filed before the effective date of this 2009 Act that decides the constitutionality of any provision of chapter 877, Oregon Laws 2007.

(2) If a judgment in an action described in subsection (1) of this section has been appealed by a party to the action in the manner provided by ORS chapter 19, any party to the appeal may move that the Court of Appeals certify the appeal to the Supreme Court. Notwithstanding ORS 19.405 (1), the Court of Appeals shall grant the motion, and shall certify the appeal. Notwithstanding ORS 19.405 (1), the Supreme Court shall accept the certification, and the Court of Appeals shall transmit the record of the case and the briefs of parties to the Supreme Court. The Supreme Court shall have jurisdiction of the cause, and the appeal shall be considered pending in the Supreme Court without additional notice of appeal, filing fee, undertaking or, except as the Supreme Court may require, briefs of parties.

(3) The Supreme Court shall give priority to an appeal certified to the court under this section over all other civil matters before the court, and shall expedite briefing and oral argument on the appeal.

SECTION 2. This 2009 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect on its passage.

Passed by Senate May 4, 2009

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Secretary of Senate

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President of Senate

Passed by House May 28, 2009

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Speaker of House

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State