

Senate Bill 577

Sponsored by Senator METSGER

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**.

Requires certification of appeal to Supreme Court for judgment deciding constitutionality of certain laws relating to government ethics.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to certification of appeals to the Supreme Court; and declaring an emergency.

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

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

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

16 **(3) The Supreme Court shall give priority to an appeal certified to the court under this**
17 **section over all other civil matters before the court, and shall expedite briefing and oral ar-**
18 **gument on the appeal.**

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

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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.