

House Bill 2077

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Governor John A. Kitzhaber for Oregon State Police)

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 Department of State Police to adopt rules, policies and procedures necessary to carry out powers and duties.

Authorizes Department of State Police to enter into real property agreements and take title as necessary for performance of specialized services.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the powers of the Department of State Police; amending ORS 181.030; repealing ORS
3 181.040; and declaring an emergency.

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

5 **SECTION 1.** ORS 181.030 is amended to read:

6 181.030. (1) The Department of State Police and [*each member*] **the members** of the Oregon
7 State Police [*shall be*] **are** charged with the enforcement of:

8 (a) All criminal laws; **and**

9 (b) **All laws applicable to highways and the operation of vehicles on highways.**

10 (2) Each member of the state police is authorized and empowered to:

11 (a) Prevent crime.

12 (b) Pursue and apprehend offenders and obtain legal evidence necessary to ensure the conviction
13 [*in the courts*] of the offenders **in the courts**.

14 (c) Institute criminal proceedings.

15 (d) Execute any lawful warrant or order of arrest issued against any person or persons for any
16 violation of the law.

17 (e) Make arrests without warrant for violations of law in the manner provided in ORS 133.310.

18 (f) Give first aid to the injured.

19 [*(g) Succor the helpless.*]

20 (3) Each member of the state police [*shall have in general the same*] **has the same general**
21 powers and authority as those conferred by law upon sheriffs, police officers, constables and peace
22 officers. A member of the state police may be appointed as a deputy medical examiner.

23 (4) The members of the state police are subject to the call of the Governor, and are empowered
24 to cooperate with any other instrumentality or authority of the state, or any political subdivision
25 in detecting crime, apprehending criminals and preserving law and order throughout the state, but
26 the state police may not be used as a posse except when ordered by the Governor.

27 (5) **The Department of State Police may adopt rules, policies and procedures necessary**
28 **to carry out the department's powers and duties.**

29 (6) **The Department of State Police may enter into agreements involving, and take title**

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.

1 to, real property necessary for the performance of specialized services, including services
2 provided by the State Medical Examiner and the forensics laboratories of the department,
3 that the department is required to perform.

4 SECTION 2. ORS 181.040 is repealed.

5 SECTION 3. This 2011 Act being necessary for the immediate preservation of the public
6 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
7 on its passage.

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