

House Bill 2672

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

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 peace officer to obtain and preserve public record relevant to criminal investigation and to disclose to district attorney existence of record. Authorizes disposal of public record at direction of district attorney.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to crime; and declaring an emergency.

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

4 **SECTION 1. (1)(a) A peace officer shall obtain and preserve public records that the peace**
5 **officer knows or reasonably should know are relevant to a criminal investigation.**

6 **(b) A peace officer may comply with the provisions of this subsection by obtaining and**
7 **preserving a copy of the public record.**

8 **(2) A peace officer shall, as soon as practicable, disclose to the district attorney the ex-**
9 **istence of public records that the peace officer knows or reasonably should know are relevant**
10 **to a criminal investigation.**

11 **(3) A peace officer is not required to preserve a public record under subsection (1) of this**
12 **section if the district attorney authorizes the peace officer to dispose of the public record.**

13 **(4) As used in this section:**

14 **(a) "District attorney" has the meaning given that term in ORS 131.005.**

15 **(b) "Peace officer" has the meaning given that term in ORS 133.005.**

16 **(c) "Public record" has the meaning given that term in ORS 192.005.**

17 **SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**
18 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
19 **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.