

## SENATE AMENDMENTS TO SENATE BILL 360

By COMMITTEE ON JUDICIARY

April 29

1 In line 2 of the printed bill, delete “repealing ORS 5.110” and insert “amending ORS 51.020; and  
2 declaring an emergency”.

3 Delete line 4 and insert:

4 “**SECTION 1.** ORS 51.020 is amended to read:

5 “51.020. (1) The county court or board of county commissioners of every county may set off and  
6 establish, or modify the boundaries of, justice of the peace districts within the county. No more than  
7 six justice of the peace districts shall be set off or established or permitted to remain in existence  
8 within any county. Except in the counties of Baker, Gilliam, Grant, Harney, Morrow, Sherman,  
9 Tillamook and Wheeler, a justice of the peace district may not include any portion of the city that  
10 is the county seat for the county or any portion of a city in which a circuit court regularly holds  
11 court. In the counties of Baker, Gilliam, Grant, Harney, Morrow, Sherman, Tillamook and Wheeler,  
12 a justice of the peace district in existence on January 15, 1998, may include any portion of the city  
13 that is the county seat for the county, or any portion of a city in which a circuit court regularly  
14 holds court, until such time as the justice court ceases to provide judicial services within the county  
15 seat or city. If the justice court ceases to provide judicial services within the county seat or city,  
16 the district that includes portions of the county seat or city shall cease to exist and may not  
17 thereafter be reestablished.

18 “(2) At the time that the county court or board of county commissioners of a county sets off and  
19 establishes the boundaries of a justice of the peace district, the county court or board of county  
20 commissioners may require as a qualification for the office that a person serving as justice of the  
21 peace in the district be a member of the Oregon State Bar.

22 “(3) **The prohibition of subsection (1) of this section on a justice of the peace district that**  
23 **includes any portion of the city that is the county seat for the county, or any portion of a**  
24 **city in which a circuit court regularly holds court, does not prevent a justice of the peace**  
25 **from conducting an arraignment for a person in custody in the city that is the county seat**  
26 **for the county, or in a city in which a circuit court regularly holds court, if the accusatory**  
27 **instrument for the offense was filed in the justice court and the offense was committed**  
28 **within the boundaries of the justice of the peace district.**

29 “**SECTION 2.** This 2011 Act being necessary for the immediate preservation of the public  
30 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect  
31 on its passage.”.