

D R A F T

SUMMARY

Increases maximum allowable balance of Criminal Justice Revolving Account.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to the Criminal Justice Revolving Account; amending ORS 180.640; and declaring an emergency.

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

SECTION 1. ORS 180.640 is amended to read:

180.640. (1) There is hereby established an account in the General Fund in the State Treasury to be known as the Criminal Justice Revolving Account. The creation of and disbursement of moneys from the revolving account shall not require an allotment or allocation of moneys pursuant to ORS 291.234 to 291.260. All moneys in the account are continuously appropriated **to the Department of Justice** for the purposes set forth in subsection (3) of this section.

(2) Notwithstanding ORS 180.180, all costs of investigation and prosecution, including attorney fees, awarded to the Department of Justice in an action or proceeding under ORS 166.715 to 166.735, whether by final judgment, settlement or otherwise, and all proceeds of civil penalties imposed under ORS 166.725, shall be deposited in the account established by this section. The maximum allowable balance in such account is [*\$750,000*] **\$2,500,000**. When moneys in the account exceed [*\$750,000*] **\$2,500,000**, the excess funds shall be deposited in the General Fund of the State Treasury.

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 (3) Moneys in the revolving account may be used [*by the Attorney General*
2 *to reimburse*] **for reimbursing** the Department of Justice, district attorneys
3 and state and local governmental departments and agencies for the costs of
4 investigation and prosecution of any civil or criminal action or proceeding
5 under ORS 166.715 to 166.735, to maintain and preserve property subject to
6 forfeiture pending its sale or other disposition and to reimburse expenses of
7 the Department of Justice incurred in carrying out the provisions of ORS
8 180.600 to 180.630.

9 (4) The Attorney General may present an accounting to the State Treas-
10 urer for costs and expenses referred to in subsection (3) of this section. To
11 the extent that sufficient funds exist in the Criminal Justice Revolving Ac-
12 count, the State Treasurer promptly shall reimburse the Department of Jus-
13 tice for the costs and expenses included in the Attorney General's
14 accounting.

15 **SECTION 2. This 2013 Act being necessary for the immediate pres-**
16 **ervation of the public peace, health and safety, an emergency is de-**
17 **clared to exist, and this 2013 Act takes effect on its passage.**

18
