

# House Bill 3283

Sponsored by COMMITTEE ON JUDICIARY (at the request of Attorney General Ellen F. Rosenblum)

## 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**.

Increases maximum allowable balance of Criminal Justice Revolving Account.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the Criminal Justice Revolving Account; amending ORS 180.640; and declaring an  
3 emergency.

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

5 **SECTION 1.** ORS 180.640 is amended to read:

6 180.640. (1) There is hereby established an account in the General Fund in the State Treasury  
7 to be known as the Criminal Justice Revolving Account. The creation of and disbursement of moneys  
8 from the revolving account shall not require an allotment or allocation of moneys pursuant to ORS  
9 291.234 to 291.260. All moneys in the account are continuously appropriated **to the Department**  
10 **of Justice** for the purposes set forth in subsection (3) of this section.

11 (2) Notwithstanding ORS 180.180, all costs of investigation and prosecution, including attorney  
12 fees, awarded to the Department of Justice in an action or proceeding under ORS 166.715 to 166.735,  
13 whether by final judgment, settlement or otherwise, and all proceeds of civil penalties imposed under  
14 ORS 166.725, shall be deposited in the account established by this section. The maximum allowable  
15 balance in such account is [*\$750,000*] **\$2,500,000**. When moneys in the account exceed [*\$750,000*]  
16 **\$2,500,000**, the excess funds shall be deposited in the General Fund of the State Treasury.

17 (3) Moneys in the revolving account may be used [*by the Attorney General to reimburse*] **for**  
18 **reimbursing** the Department of Justice, district attorneys and state and local governmental de-  
19 partments and agencies for the costs of investigation and prosecution of any civil or criminal action  
20 or proceeding under ORS 166.715 to 166.735, to maintain and preserve property subject to forfeiture  
21 pending its sale or other disposition and to reimburse expenses of the Department of Justice in-  
22 curred in carrying out the provisions of ORS 180.600 to 180.630.

23 (4) The Attorney General may present an accounting to the State Treasurer for costs and ex-  
24 penses referred to in subsection (3) of this section. To the extent that sufficient funds exist in the  
25 Criminal Justice Revolving Account, the State Treasurer promptly shall reimburse the Department  
26 of Justice for the costs and expenses included in the Attorney General's accounting.

27 **SECTION 2.** **This 2013 Act being necessary for the immediate preservation of the public**  
28 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
29 **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.