Senate Bill 289

Sponsored by Senator BOQUIST (Presession filed.)

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 that court consider legislative history of statute when construing statute. Provides that legislative history that may be offered by party includes, but is not limited to, floor speeches, testimony and member statements in committees, staff measure summaries, fiscal impact statements, revenue impact statements and budget reports.

A BILL FOR AN ACT

- 2 Relating to legislative history; amending ORS 174.020.
- 3 Be It Enacted by the People of the State of Oregon:
 - **SECTION 1.** ORS 174.020 is amended to read:
- 5 174.020. (1)(a) In the construction of a statute, a court shall pursue the intention of the legisla-6 ture if possible.
 - (b) To assist a court in its construction of a statute, a party may offer the legislative history of the statute. Legislative history that may be offered includes, but is not limited to, floor speeches, testimony and member statements in committees, staff measure summaries, fiscal impact statements, revenue impact statements and budget reports. The court shall consider legislative history offered by a party in construing a statute.
 - (2) When a general **provision** and **a** particular provision are inconsistent, the latter is paramount to the former so that a particular intent controls a general intent that is inconsistent with the particular intent.
 - (3) A court may limit its consideration of legislative history to the information that the parties provide to the court. [A court shall give the weight to the legislative history that the court considers to be appropriate.]

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