

Senate Bill 49

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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**.

Authorizes Chief Justice of Supreme Court to adopt standards and plan for physical security of judges and staff.

Allows expenditures from State Court Facilities and Security Account to be used to fund positions in Judicial Department.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to state court security; amending ORS 1.177 and 1.178; and declaring an emergency.

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

4 **SECTION 1.** ORS 1.177, as amended by section 1, chapter 88, Oregon Laws 2012, and section
5 104, chapter 107, Oregon Laws 2012, is amended to read:

6 1.177. (1) The Chief Justice of the Supreme Court may adopt state standards, and a state plan,
7 for:

8 (a) State court security, emergency preparedness and business continuity for facilities used by
9 **the judges or staff of a [*circuit court, the Supreme Court, Court of Appeals or Oregon Tax Court*]**
10 **court operating under the Judicial Department or the staff of the office of the State Court**
11 **Administrator[.]; and**

12 (b) **The physical security of the judges or staff of a court operating under the Judicial**
13 **Department or the staff of the office of the State Court Administrator.**

14 (2) The Chief Justice may appoint a judicial security officer and other judicial security personnel
15 charged with implementing a state plan adopted under subsection (1) of this section.

16 (3) Except as provided in this subsection, a plan adopted under this section and all documents
17 related to development of the plan are confidential and need not be disclosed under the provisions
18 of ORS 192.410 to 192.505. The Chief Justice may authorize the disclosure of all or part of a plan
19 prepared under this section if the Chief Justice determines that the interest of the public would be
20 served by the disclosure and that the disclosure will not impair the integrity of the plan. Records
21 of expenditures for a [*state court security*] plan **adopted under this section** and records of equip-
22 ment purchased under the plan are not confidential under the provisions of this subsection, and are
23 subject to disclosure as public records under the provisions of ORS 192.410 to 192.505.

24 **SECTION 2.** ORS 1.178 is amended to read:

25 1.178. (1) The State Court Facilities and Security Account is established separate and distinct
26 from the General Fund. The account consists of moneys allocated to the account under the pro-
27 visions of ORS 137.300. Interest earned by the State Court Facilities and Security Account shall be
28 credited to the account. Moneys in the account are continuously appropriated to the State Court

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 Administrator for the purposes described in subsection (2) of this section.

2 (2) Expenditures by the State Court Administrator from the State Court Facilities and Security
3 Account shall be made only for the following purposes:

4 (a) Developing or implementing a plan for state court security improvement, emergency
5 preparedness, [and] business continuity **and physical security** under ORS 1.177.

6 (b) Statewide training on state court security.

7 (c) Distributions to court facilities security accounts maintained under ORS 1.182.

8 (d) Capital improvements for courthouses and other state court facilities.

9 **SECTION 3.** ORS 1.178, as amended by section 76, chapter 107, Oregon Laws 2012, is amended
10 to read:

11 1.178. (1) The State Court Facilities and Security Account is established separate and distinct
12 from the General Fund. The account consists of moneys allocated to the account under the pro-
13 visions of ORS 137.300. Moneys in the account are continuously appropriated to the State Court
14 Administrator for the purposes described in subsection (2) of this section.

15 (2) Expenditures by the State Court Administrator from the State Court Facilities and Security
16 Account shall be made only for the following purposes:

17 (a) Developing or implementing the plan for state court security, emergency preparedness,
18 [and] business continuity **and physical security** adopted under ORS 1.177. [*Expenditures under this*
19 *paragraph may not be used to fund positions in the judicial department.*]

20 (b) Statewide training on state court security.

21 (c) Distributions to court facilities security accounts maintained under ORS 1.182.

22 (d) Capital improvements for courthouses and other state court facilities.

23 **SECTION 4. This 2013 Act being necessary for the immediate preservation of the public**
24 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
25 **on its passage.**

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