

Senate Bill 496

Sponsored by Senator PROZANSKI

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 moneys in county's road fund and expended for patrolling to be used solely for direct and indirect costs associated with patrolling. Defines "patrolling."

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to patrolling by county law enforcement officials; creating new provisions; amending sec-
3 tion 4, chapter 894, Oregon Laws 2007, and sections 3, 4 and 5, chapter 75, Oregon Laws 2012;
4 and declaring an emergency.

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

6 **SECTION 1.** Section 4, chapter 894, Oregon Laws 2007, as amended by section 1, chapter 556,
7 Oregon Laws 2011, and section 1, chapter 75, Oregon Laws 2012, is amended to read:

8 **Sec. 4.** (1) Notwithstanding ORS 294.060 and 368.705, moneys described in ORS 294.060 (1) that
9 are received by a county listed in subsection (2) of this section and deposited into that county's road
10 fund may be expended for [*the*] patrolling [*of that county's roads*] **within the county** by [*that*] **the**
11 county's law enforcement officials.

12 (2) Subsection (1) of this section applies to:

- 13 (a) Coos County;
14 (b) Curry County;
15 (c) Douglas County;
16 (d) Josephine County;
17 (e) Klamath County;
18 (f) Lane County; and
19 (g) Linn County.

20 (3) **Moneys in a county's road fund and expended for patrolling under subsection (1) of**
21 **this section may be used solely for direct costs and indirect costs associated with patrolling.**

22 (4) **As used in this section:**

23 (a)(A) **"Direct costs" means costs that can, with a high degree of accuracy, be identified**
24 **specifically with or directly assigned to a particular award, project, program, service or other**
25 **organizational activity.**

26 (B) **"Direct costs" includes, but is not limited to, salaries, travel, equipment and supplies**
27 **directly related to patrolling by the county's law enforcement officials.**

28 (b)(A) **"Indirect costs" means costs incurred for common or joint objectives that are not**
29 **direct costs.**

30 (B) **"Indirect costs" includes, but is not limited to, the costs of operating and maintaining**
31 **facilities, depreciation, administrative expenses and dispatch.**

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 (c) "Patrolling" means the activities of a county law enforcement official that are in re-
2 sponse to calls for service or initiated by the county law enforcement official.

3 **SECTION 2.** The amendments to section 4, chapter 894, Oregon Laws 2007, by section 1
4 of this 2013 Act apply to moneys received by a county before, on or after the effective date
5 of this 2013 Act.

6 **SECTION 3.** Section 3, chapter 75, Oregon Laws 2012, is amended to read:

7 **Sec. 3.** Section 4, chapter 894, Oregon Laws 2007, as amended by section 1, chapter 556, Oregon
8 Laws 2011, [and] section 1 [of this 2012 Act], **chapter 75, Oregon Laws 2012, and section 1 of this**
9 **2013 Act**, is repealed on January 2, 2016.

10 **SECTION 4.** Section 4, chapter 75, Oregon Laws 2012, is amended to read:

11 **Sec. 4.** Notwithstanding ORS 294.060, 294.468 (1)(c) and 368.705, a county that receives moneys
12 described in ORS 294.060 (1) and deposits those moneys into the county's road fund may make an
13 interfund loan of the moneys described in ORS 294.060 (1) to any other fund of that county for the
14 purpose of patrolling [of county roads] by county law enforcement officials.

15 **SECTION 5.** Section 5, chapter 75, Oregon Laws 2012, is amended to read:

16 **Sec. 5.** Notwithstanding ORS 294.468 (2)(c) and (3), an interfund loan by a county that loans
17 moneys described in ORS 294.060 (1) from the county's road fund into any other fund of that county
18 to be used for the purpose of patrolling [of county roads] by county law enforcement officials shall
19 be budgeted and repaid into the county road fund within three years following the end of the ensu-
20 ing year or ensuing budget period.

21 **SECTION 6.** This 2013 Act being necessary for the immediate preservation of the public
22 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
23 on its passage.
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