

**PRELIMINARY** STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

**REVENUE:** May have revenue impact, statement not yet issued

**FISCAL:** May have fiscal impact, statement not yet issued

**SUBSEQUENT REFERRAL TO:**

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**Action:**

**Vote:**

Yeas:

Nays:

Exc.:

**Prepared By:** Eric Deitrick, Counsel

**Meeting Dates:** 3/17

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**WHAT THE MEASURE DOES:** Requires judge to find probable cause and issue warrant when electronic location information shows a stolen bicycle is in a particular place.

**ISSUES DISCUSSED:**

**EFFECT OF COMMITTEE AMENDMENT:**

**BACKGROUND:** ORS 133.545 – 133.555 authorizes judges to issue search warrants upon a finding of probable cause that particular evidence will be found in a particular place. The judge reviews sworn affidavits and examines the totality of the evidence.

Senate Bill 861 modifies ORS 133.555 and requires the court to find probable cause and issue warrant in one particular circumstance. Specifically, some bicycles have computer chips inside that enable the owner of the bicycle to track the bicycles location after it is stolen. When a bicycle is reported stolen and electronic location information shows the location of the bicycle, this bill would require the judge to issue a warrant to search that location.