

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Laura Handzel, Administrator

Meeting Dates: 4/29

WHAT THE MEASURE DOES: Allows substituted service of certain investigative demands on natural persons to be accomplished in same manner as service on unnatural persons. Contains scrivener’s changes. Applies to certain investigative demands issued on or after the effective date.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Under current Oregon law, it is unclear whether service of civil investigative demands by the Department of Justice (DOJ) may be served on natural persons in the same manner as unnatural persons. “Unnatural persons” are juridical persons or groups of people that acquire legal personhood when they are incorporated. Corporations are an example. “Natural persons” acquire legal personhood upon birth.

House Bill 2384 clarifies the DOJ’s service process for civil investigative demands and authorizes service on natural persons to be done in the same manner as on unnatural persons. House Bill 2384 parallels the rules of service contained in the Oregon Rules of Civil Procedure.

House Bill 2384 also contains many scrivener’s changes, which change the word “any” to “a,” “shall be” to “is,” among other non-substantive changes.

4/28/2015 1:27:00 PM

This summary has not been adopted or officially endorsed by action of the committee.