

From the Desk of
Senator Ted Ferrioli

Senate Bill 853

Sponsored by Senator KNOPP

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 statements made by certain witnesses to committee of Legislative Assembly be made under oath and therefore subject to crime of false swearing.

A BILL FOR AN ACT

1
2 Relating to statements before legislative committees; amending ORS 171.525 and 171.530.

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

4 **SECTION 1.** ORS 171.530 is amended to read:

5 171.530. (1) The privilege of a witness who appears voluntarily or under subpoena before a
6 committee of the Legislative Assembly in a matter within the jurisdiction of the committee is the
7 same as that of a witness in judicial proceedings. A statement made by the witness before a legis-
8 lative committee which is pertinent to the matter before the legislative committee is privileged and
9 the witness shall not be subject to an action for civil damages as a result thereof unless the witness
10 knowingly makes a false and immaterial statement for the purpose of defaming another.

11 **(2) A written or oral statement made to a legislative committee by a witness who is an**
12 **electd official or a person in charge of a public agency must be given under a form of oath**
13 **or affirmation or by declaration under penalty of perjury as described in ORCP 1 E.**

14 [(2)] (3) As used in this section[.]:

15 **(a) "Elected official" means a person elected by popular vote or a person appointed to fill**
16 **a vacancy in an elective office.**

17 **(b) "Legislative committee" means a statutory, standing, special or interim committee of either**
18 **or both houses, including a legislative task force, established by rule of either or both houses, by**
19 **resolution or by law and whether or not all members of the legislative committee are also members**
20 **of the Legislative Assembly.**

21 **(c) "Person in charge" means a director, deputy director, chief executive officer or other**
22 **person authorized to make executive decisions concerning a public agency.**

23 **(d) "Public agency" means a commission, board, agency or other governmental or quasi-**
24 **governmental body.**

25 **SECTION 2.** ORS 171.525 is amended to read:

26 171.525. Any testimony given by a witness before any legislative committee shall not be used
27 against the witness in any criminal action or proceeding, nor shall any criminal action or proceeding
28 be brought against such witness on account of any testimony so given by the witness, except for
29 perjury **or false swearing** committed before such committee.
30

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.