House Joint Resolution 31

Sponsored by Representative HACK

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.**

Proposes amendment to Oregon Constitution to vest power of impeachment of statewide elected Executive Branch officials in House of Representatives and power to try impeachments in Senate. Requires three-fifths majority vote of House of Representatives to deliver impeachment resolution to Senate and two-thirds majority vote of Senate for conviction. Limits judgment to removal from office and disqualification from holding other public office.

Refers proposed amendment to people for approval or rejection at next regular general election held throughout this state.

JOINT RESOLUTION

Be It Resolved by the Legislative Assembly of the State of Oregon:

PARAGRAPH 1. The Constitution of the State of Oregon is amended by creating a new section 34 to be added to and made a part of Article IV, such section to read:

SECTION 34. (1) The House of Representatives shall have the power of impeachment of statewide elected officials of the Executive Branch for malfeasance in office, corruption, neglect of duty or other high crime or misdemeanor. The House of Representatives may deliver a resolution of impeachment to the Senate only upon the concurrence of at least three-fifths of all Representatives elected.

(2) The Senate shall have the power to try any impeachment received from the House of Representatives. When sitting for the purpose of trying an impeachment, Senators shall swear or affirm to do justice according to law and evidence. A person may not be convicted under this section without the concurrence of at least two-thirds of all Senators elected.

(3) Judgment shall extend only to removal from office and disqualification from holding any other public office in this state. Any person convicted or acquitted under this section remains subject to any criminal prosecution or civil liability according to law.

PARAGRAPH 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular general election held throughout this state.

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.

From the Desk of
Senator Ted Ferrioli