

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
Senate Committee On Judiciary

MEASURE: HB 2609
CARRIER: Sen. Prozanski

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 05/19/15

Action: Do Pass.

Meeting Dates: 05/19

Vote:

Yeas: 4 - Gelser, Kruse, Prozanski, Thatcher

Exc: 1 - Burdick

Prepared By: Jeff Rhoades, Counsel

WHAT THE MEASURE DOES:

Establishes that information or complaint be deemed verified if complainant certifies sufficient grounds to believe defendant committed offense. States that false certification is Class A misdemeanor.

ISSUES DISCUSSED:

- Substance of the bill
- Need for electronic filing
- Problems with high volume in municipal courts

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

ORS 133.015 prescribes that an information or complaint must contain: 1) the name of the court in which it is filed; 2) the title of the action; 3) a statement that accuses the defendant or defendants of the designated offense or offenses; 4) a separate accusation or count addressed to each offense charged, if there are more than one; 5) a statement in each count of county in which the offense was committed; 6) a statement of on or about when the offense was committed; 7) a statement of the acts constituting the offense in ordinary and concise language; and 8) the verification by the complainant and the date of the signing of the information or complaint. Traditionally, complaints have been physically filed with the local court.

House Bill 2609 remedies one process issue relating to electronic filing of complaints and informations. The bill allows jurisdictions to file informations and complaints electronically, without the need for verification with a physical signing of the document. Rather, the document may be processed electronically in court along with a verification that complies with the new language of the statute.