

Enrolled
House Bill 2609

Sponsored by Representative BARKER, Senator PROZANSKI (Pre-session filed.)

CHAPTER

AN ACT

Relating to the verification of charging instruments; amending ORS 133.015 and 133.992.

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

SECTION 1. ORS 133.015 is amended to read:

133.015. An information or complaint shall contain substantially the following:

- (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 be more than one;
- (5) A statement in each count that the offense charged therein was committed in a designated county;
- (6) A statement in each count that the offense charged therein was committed on, or on or about, a designated date, or during a designated period of time;
- (7) A statement of the acts constituting the offense in ordinary and concise language, without repetition, and in such manner as to enable a person of common understanding to know what is intended; and
- (8) The verification by the complainant and the date of the signing of the information or complaint. **An information or complaint charging a defendant with an offense, other than an offense punishable as a felony, shall be deemed verified by the complainant if it contains a form of certificate in which the complainant certifies, under the penalties described in ORS 133.992, that the complainant has sufficient grounds to believe, and does believe, that the defendant named in the information or complaint committed the offense specified in the information or complaint.**

SECTION 2. ORS 133.992 is amended to read:

133.992. (1) *[Any]* A person who maliciously and without probable cause causes a search warrant or a court order for interception to be issued and executed is guilty of a Class A misdemeanor.

(2) **A person who knowingly falsely certifies an information or complaint under ORS 133.015 (8) is guilty of a Class A misdemeanor.**

Passed by House March 19, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 26, 2015

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State