

House Bill 2493

Sponsored by Representative BENTZ (at the request of Bob Moon) (Pre-session filed.)

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 party in criminal case to provide hard copy or electronic copy of discovery material to adverse party unless copy cannot reasonably be provided. Prohibits parties from charging fee to adverse party for providing discovery material.

A BILL FOR AN ACT

1
2 Relating to discovery obligations; amending ORS 135.805.

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

4 **SECTION 1.** ORS 135.805 is amended to read:

5 135.805. (1) The provisions of ORS 135.805 to 135.873 are applicable to all criminal prosecutions
6 in which the charging instrument has been brought in a court of record.

7 (2) As used in ORS 135.805 to 135.873, "disclose" means to **provide a hard copy or an elec-**
8 **tronic copy of discovery material to the adverse party or, if the nature of the material is**
9 **such that a hard copy or electronic copy cannot reasonably be provided, to** afford the adverse
10 party an opportunity to inspect or copy the material.

11 (3) **The district attorney and the defense may not charge the opposing party a fee for**
12 **providing discovery material required by ORS 135.805 to 135.873.**
13

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.