

1 **Energy Assistance Act of 1981, as amended. The department shall al-**
2 **locate the moneys to the subgrantees through the formula established**
3 **by the department for distribution of moneys to subgrantees under the**
4 **federal Low Income Home Energy Assistance Act of 1981, as amended.**

5 **(3) Subgrantees that receive moneys distributed by the department**
6 **from the fund shall use the moneys to provide low-income households**
7 **with energy bill payment assistance, with priority given to low-income**
8 **households affected by the COVID-19 pandemic through impacts that**
9 **include but are not limited to reduced work hours, medical conditions,**
10 **loss of work or dependents in the home. A subgrantee may determine**
11 **standards for low-income households to be eligible for assistance. El-**
12 **igibility may, but need not, be based on categorical eligibility.**

13 **(4) Subgrantees shall report to the department on the use of moneys**
14 **distributed from the fund in a manner prescribed by the department.**

15
16 **COURT PROVISIONS**
17

18 **SECTION 45. (1)(a) Notwithstanding any other statute or rule to the**
19 **contrary, during the time in which any declaration of a state of**
20 **emergency issued by the Governor related to COVID-19, and any ex-**
21 **tension of the declaration, is in effect, and continuing for 60 days after**
22 **the declaration and any extension is no longer in effect, and upon a**
23 **finding of good cause, the Chief Justice of the Supreme Court may**
24 **extend or suspend any time period or time requirement established by**
25 **statute or rule that:**

26 **(A) Applies in any case, action or proceeding after the case, action**
27 **or proceeding is initiated in any circuit court, the Oregon Tax Court,**
28 **the Court of Appeals or the Supreme Court;**

29 **(B) Applies to the initiation of an appeal to the magistrate division**
30 **of the Oregon Tax Court or an appeal from the magistrate division to**
31 **the regular division;**

1 (C) Applies to the initiation of an appeal or judicial review pro-
2 ceeding in the Court of Appeals; or

3 (D) Applies to the initiation of any type of case or proceeding in the
4 Supreme Court.

5 (b) The Chief Justice may extend or suspend a time period or time
6 requirement under this subsection notwithstanding the fact that the
7 date of the time period or time requirement has already passed as of
8 the effective date of this 2020 special session Act.

9 (2)(a) Notwithstanding ORS 133.060 (1), during the time in which any
10 declaration of a state of emergency issued by the Governor related to
11 COVID-19, and any extension of the declaration, is in effect, and con-
12 tinuing for 60 days after the declaration and any extension is no longer
13 in effect, the date specified in a criminal citation on which a person
14 served with the citation shall appear may be more than 30 days after
15 the date the citation was issued.

16 (b) During the time in which any declaration of a state of emer-
17 gency issued by the Governor related to COVID-19, and any extension
18 of the declaration, is in effect, and continuing for 60 days after the
19 declaration and any extension is no longer in effect, the presiding
20 judge of a circuit court may, upon the motion of a party or the court's
21 own motion, and upon a finding of good cause, postpone the date of
22 appearance described in paragraph (a) of this subsection for all pro-
23 ceedings within the jurisdiction of the court.

24 (3)(a) Notwithstanding ORS 136.290 and 136.295, and subject to par-
25 agraph (c) of this subsection, during the time in which any declaration
26 of a state of emergency issued by the Governor related to COVID-19,
27 and any extension of the declaration, is in effect, and continuing for
28 60 days after the declaration and any extension is no longer in effect,
29 the presiding judge of a circuit court may, upon the motion of a party
30 or the court's own motion, and upon a finding of good cause as de-
31 scribed in paragraph (b) of this subsection, order an extension of cus-

1 **tody and postponement of the date of the trial beyond the time limits**
2 **described in ORS 136.290 and 136.295.**

3 **(b) As used in this subsection, “good cause” means situations de-**
4 **scribed in ORS 136.295 (4)(b), circumstances caused by the COVID-19**
5 **pandemic or public health measures resulting from the COVID-19**
6 **pandemic.**

7 **(c)(A) Notwithstanding paragraphs (a) and (b) of this subsection,**
8 **the presiding judge may not extend custody and postpone a defendant’s**
9 **trial date if, as a result of the extension and postponement, the de-**
10 **fendant will be held in custody before trial for more than a total of**
11 **180 days, unless the judge’s determination of good cause is due to cir-**
12 **cumstances caused by the COVID-19 pandemic, public health measures**
13 **resulting from the COVID-19 pandemic or a situation described in ORS**
14 **136.295 (4)(b) caused by or related to COVID-19.**

15 **(B) A presiding judge who postpones a trial under this paragraph**
16 **shall make findings on the record concerning the length of the exten-**
17 **sion and postponement, the prejudice, if any, to the defendant, and the**
18 **good cause for the extension and postponement.**

19 **(C) If the trial date has been postponed under this paragraph, and**
20 **either circumstances concerning the defendant’s custody or circum-**
21 **stances concerning the good cause for the postponement have**
22 **changed, the defendant may request a hearing by motion articulating**
23 **the change in circumstances. The presiding judge or a circuit court**
24 **judge shall hold a hearing to address the motion and review the**
25 **defendant’s custody and trial date.**

26 **(4)(a) Notwithstanding any other statute or rule to the contrary,**
27 **during the time in which any declaration of a state of emergency is-**
28 **sued by the Governor related to COVID-19, and any extension of the**
29 **declaration, is in effect, and continuing for 60 days after the declara-**
30 **tion and any extension is no longer in effect, the Chief Justice may**
31 **direct or permit any appearance before a court or magistrate to be by**

1 telephone, other two-way electronic communication device or simul-
2 taneous electronic transmission.

3 (b) Notwithstanding paragraph (a) of this subsection, a circuit court
4 may order that an appearance be in person if, after an opportunity to
5 be heard, the court determines that there is a particular need for an
6 in-person hearing or that a party has a constitutional right to an in-
7 person hearing.

8 (5) The Chief Justice may delegate the exercise of any of the powers
9 described in this section to the presiding judge of a court.

10 (6) Nothing in this section affects the rights of a defendant under
11 the Oregon and United States Constitutions.

12 SECTION 46. (1) If the expiration of the time to commence an
13 action or give notice of a claim falls within the time in which any
14 declaration of a state of emergency issued by the Governor related to
15 COVID-19, and any extension of the declaration, is in effect, or within
16 90 days after the declaration and any extension is no longer in effect,
17 the expiration of the time to commence the action or give notice of
18 the claim is extended to a date 90 days after the declaration and any
19 extension is no longer in effect.

20 (2) Subsection (1) of this section applies to:

21 (a) Time periods for commencing an action established in ORS
22 chapter 12;

23 (b) The time period for commencing an action for wrongful death
24 established in ORS 30.020;

25 (c) The time period for commencing an action or giving a notice
26 of claim under ORS 30.275; and

27 (d) Any other time limitation for the commencement of a civil
28 cause of action or the giving of notice of a civil claim established by
29 statute.

30 (3) Subsection (1) of this section does not apply to time limitations
31 for the commencement of criminal actions.