LC 798 2021 Regular Session 10/21/20 (JLM/ps)

DRAFT

SUMMARY

Clarifies that state felony traffic offenses charged in Multnomah County will be heard in court facility in Portland. Creates exception to requirement that court proceeding involving person in custody be transferred, absent good cause, from court facility in Gresham to Portland if defendant is not in custody and certain warrants have been vacated or executed.

A BILL FOR AN ACT

- 2 Relating to courts; amending ORS 3.014.
- 3 Be It Enacted by the People of the State of Oregon:
- 4 **SECTION 1.** ORS 3.014 is amended to read:
- 5 3.014. (1) One of the judges of the fourth judicial district shall hold court
- 6 in the City of Gresham, Multnomah County, as directed by the Chief Justice
- of the Supreme Court but in no event less than one day a week. All pro-
- 8 ceedings resulting from alleged state misdemeanor traffic offenses or other
- 9 misdemeanors occurring east of 122nd Avenue extended to the north and
- 10 south boundaries of Multnomah County shall be conducted in the court in
- 11 Gresham unless the accused at first appearance in each action requests trial
- 12 in Portland.
- 13 (2) A proceeding to be conducted in Gresham as provided in subsection
- 14 (1) of this section shall, unless good cause is shown, be transferred with-
- out further order of the court to a court facility in Portland for all purposes
- 16 if:

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- 17 (a) The accused person is in the custody of a county sheriff or the De-
- partment of Corrections at the time set for any [scheduled] proceeding; [or]
 - (b) The accused person is, during the pendency of the case, charged

in Multnomah County with any felony; or

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- [(b)] (c) A circuit court in the fourth judicial district issues a bench warrant or a warrant of arrest against the accused for any criminal action pending before the court.
- (3) Notwithstanding subsection (2) of this section, upon motion of any party, the proceeding shall, unless good cause is shown, be returned to the court in Gresham if the accused person is not in custody and all warrants issued by a circuit court in the fourth judicial district for the accused have been vacated or executed.
- [(3)] (4) Multnomah County shall provide facilities in the City of Gresham for a court judge to hold court as described under subsection (1) of this section.