

House Bill 2177

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Chief Justice Martha L. Walters for Judicial Department)

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**.

Authorizes Chief Justice of Supreme Court to collect fees from certain public bodies for use of certain state court technology services.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to state court technology fees; creating new provisions; amending ORS 1.012; and declaring
3 an emergency.

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

5 **SECTION 1. (1) Notwithstanding ORS 21.259, the Chief Justice of the Supreme Court may**
6 **collect a fee for the use of state court technology services from a county in which 500 or**
7 **more felony cases per year were filed by the district attorney in the circuit court, based on**
8 **the number of felony and misdemeanor cases filed in the circuit court of the county.**

9 **(2) A fee collected under this section may not exceed the fee established in ORS 46.570**
10 **(2).**

11 **(3) ORS 21.100 does not apply to a fee collected under this section.**

12 **(4) A fee collected under this section may not be added to costs charged to the defendant**
13 **under ORS 161.665 or added to any order of restitution or compensatory fine.**

14 **(5) Fees collected under this section shall be deposited into the State Court Technology**
15 **Fund established in ORS 1.012.**

16 **SECTION 2. ORS 1.012 is amended to read:**

17 1.012. (1) The State Court Technology Fund is established in the State Treasury, separate and
18 distinct from the General Fund. Interest earned by the State Court Technology Fund shall be
19 credited to the fund.

20 (2) All fees received on and after July 1, 2013, for the use of the Oregon Judicial Case Infor-
21 mation Network under ORS 1.002 (6) and for the use of other state court electronic applications and
22 systems shall be deposited into the fund.

23 (3) The fund consists of the moneys deposited into the fund under subsection (2) of this section,
24 the moneys deposited into the fund under ORS 21.006 **and section 1 of this 2021 Act** and the
25 moneys allocated to the fund under ORS 137.300.

26 (4) Moneys in the fund are continuously appropriated to the Judicial Department for the pur-
27 poses of:

28 (a) Developing, maintaining and supporting state court electronic applications, services and
29 systems and for providing access to and use of those applications, services and systems; and

30 (b) Providing electronic service and filing services.

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.

1 **SECTION 3.** (1) Section 1 of this 2021 Act and the amendments to ORS 1.012 by section
2 2 of this 2021 Act become operative on October 1, 2021.

3 (2) The Chief Justice of the Supreme Court may take any action before the operative date
4 specified in subsection (1) of this section to enable the Chief Justice to exercise, on and after
5 the operative date specified in subsection (1) of this section, all of the duties, functions and
6 powers conferred on the Chief Justice by section 1 of this 2021 Act and the amendments to
7 ORS 1.012 by section 2 of this 2021 Act.

8 **SECTION 4.** This 2021 Act being necessary for the immediate preservation of the public
9 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
10 on its passage.

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