

Senate Bill 396

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary and Ballot Measure 110 Implementation)

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**.

Directs district attorney to calculate cost of creating and providing copies of discovery material to defendant with court-appointed counsel and to submit request for reimbursement to Oregon Department of Administrative Services. Appropriates moneys to department for reimbursement of discovery costs.

A BILL FOR AN ACT

1
2 Relating to discovery.

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

4 **SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS 135.805 to**
5 **135.873.**

6 **SECTION 2. (1) When a district attorney fulfills the duty to disclose material under ORS**
7 **135.815 to a defendant with court-appointed counsel by providing a copy of the material to**
8 **the defendant, the district attorney shall calculate the cost of creating and providing the**
9 **copy.**

10 **(2) The district attorney shall submit a written request for reimbursement for the cost**
11 **of creating and providing copies of discovery material described in subsection (1) of this**
12 **section to the Oregon Department of Administrative Services. The request shall include the**
13 **case number and a description of the discovery material provided.**

14 **(3) The department shall reimburse a district attorney who submits a request under**
15 **subsection (2) of this section for the cost of creating and providing copies of discovery ma-**
16 **terial from funds appropriated to the department for that purpose.**

17 **SECTION 3. In addition to and not in lieu of any other appropriation, there is appropri-**
18 **ated to the Oregon Department of Administrative Services, for the biennium beginning July**
19 **1, 2023, out of the General Fund, the amount of \$_____ , for distribution to district**
20 **attorneys for the cost of creating and providing copies of discovery materials under section**
21 **2 of this 2023 Act.**

22

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.