

Senate Bill 667

Sponsored by Senator BONHAM (at the request of former Senator Dennis Linthicum) (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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Bans the militia of the state from being called forth for an armed conflict or war unless the U.S. Congress declares war or a purpose under the U.S. Constitution. (Flesch Readability Score: 60.7).

Prohibits the Governor from ordering out for service the militia of the state for participation in or support of an armed conflict or the conduct of war unless the United States Congress passes a declaration of war or calls forth the militia of the state to execute the laws of the United States, suppress an insurrection or repel an invasion.

A BILL FOR AN ACT

1
2 Relating to the militia of the state; amending ORS 396.135.

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

4 **SECTION 1.** ORS 396.135 is amended to read:

5 396.135. (1) When the militia of the state or any part thereof is called forth under the Consti-
6 tution and laws of the United States, the Governor shall order out for service the organized militia
7 or such part thereof as may be necessary, and if the number available is insufficient the Governor
8 may call for and accept from the unorganized militia as many volunteers as are required for service
9 in the organized militia or the Governor may direct the members of the unorganized militia or such
10 of them as the Governor may deem necessary to be drafted into the organized militia.

11 (2) **Notwithstanding subsection (1) of this section, the Governor may not order out for**
12 **service the militia of the state or any part thereof if the service is for the participation in**
13 **or support of an armed conflict or the conduct of war unless the United States Congress:**

14 (a) **Passes a declaration of war under Article I, section 8, clause 11, of the United States**
15 **Constitution; or**

16 (b) **Takes official action to explicitly call forth the militia of the state or any part thereof**
17 **for the purpose of executing the laws of the United States, suppressing an insurrection or**
18 **repelling an invasion under Article I, section 8, clause 15, of the United States Constitution.**

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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.