

A-Engrossed
Senate Bill 222

Ordered by the Senate March 30
Including Senate Amendments dated March 30

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 Governor John A. Kitzhaber, M.D., for Department of Human Services)

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.

[Extends sunset on provision authorizing] **Authorizes** Department of Human Services to appear as party in juvenile court proceeding without appearance of Attorney General. **Provides for gradual phaseout of authorization in specified counties by specified dates.**

Sunset June 30, 2018.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to appearance by attorney in juvenile court proceedings; creating new provisions; amending
3 sections 2 and 3, chapter 106, Oregon Laws 2014; and declaring an emergency.

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

5 **SECTION 1.** Section 2, chapter 106, Oregon Laws 2014, is amended to read:

6 **Sec. 2.** Notwithstanding the provisions of ORS 9.320, 180.060 and 180.220, and subject to ORS
7 9.160 **and section 3 of this 2015 Act**, in a proceeding under this chapter, the Department of Human
8 Services may appear without the Attorney General at:

9 (1) Any hearing held after the hearing required under ORS 419B.305 has been held; and

10 (2) Any proceeding where the district attorney represents the state, provided the positions of the
11 department and the state are not in conflict with respect to issues raised for consideration or de-
12 termination in the proceeding.

13 **SECTION 2.** Section 3, chapter 106, Oregon Laws 2014, is amended to read:

14 **Sec. 3.** Section 2, **chapter 106, Oregon Laws 2014**, *[of this 2014 Act]* is repealed on June 30,
15 *[2015]* **2018**.

16 **SECTION 3.** (1) **Except as provided in subsection (2) of this section, section 2, chapter**
17 **106, Oregon Laws 2014, applies to hearings or proceedings that occur on or after the effective**
18 **date of chapter 106, Oregon Laws 2014.**

19 (2) **Section 2, chapter 106, Oregon Laws 2014, does not apply to hearings or proceedings**
20 **that occur after:**

21 (a) **January 1, 2016, in Jackson, Josephine, Lane, Linn, Polk and Yamhill Counties;**

22 (b) **July 1, 2016, in Douglas, Klamath, Lake, Lincoln, Morrow and Umatilla Counties; and**

23 (c) **July 1, 2017, in Benton, Clackamas, Clatsop, Columbia, Coos, Crook, Curry, Deschutes,**
24 **Jefferson, Marion, Tillamook and Washington Counties.**

25 (3) **The provisions of this section are intended to effect the gradual phaseout of the policy**

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 provided in section 2, chapter 106, Oregon Laws 2014.

2 **SECTION 4.** If this 2015 Act does not become effective until after June 30, 2015, the
3 amendments to section 3, chapter 106, Oregon Laws 2014, by section 2 of this 2015 Act revive
4 section 2, chapter 106, Oregon Laws 2014. If this 2015 Act does not become effective until
5 after June 30, 2015, this 2015 Act shall be operative retroactively to that date, and the oper-
6 ation and effect of section 2, chapter 106, Oregon Laws 2014, shall continue unaffected from
7 June 30, 2015, to the effective date of this 2015 Act. Any otherwise lawful action taken or
8 otherwise lawful obligation incurred under the authority of section 2, chapter 106, Oregon
9 Laws 2014, after June 30, 2015, and before the effective date of this 2015 Act, is ratified and
10 approved.

11 **SECTION 5.** This 2015 Act being necessary for the immediate preservation of the public
12 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect
13 on its passage.
14
