

A-Engrossed
House Bill 5120

Ordered by the House May 27
Including House Amendments dated May 27

Sponsored by COMMITTEE ON ELECTIONS AND RULES

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.

Appropriates moneys from General Fund to [_____] **Department of Justice** for biennial expenses **of district attorneys, deputy district attorneys and certain administrative costs.**

[Limits biennial expenditures from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by _____.]

[Limits biennial expenditures by _____ from federal funds.]

Declares emergency, effective July 1, 2005.

A BILL FOR AN ACT

1
2 Relating to state financial administration; appropriating money; and declaring an emergency.

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

4 **SECTION 1. There is appropriated to the Department of Justice, for the biennium be-**
5 **ginning July 1, 2005, out of the General Fund, the amount of \$9,127,431 to be expended for:**

6 **(1) Paying the expenses of district attorneys, as provided in section 2 of this 2005 Act;**

7 **(2) Special payments to counties for deputy district attorneys, as provided in section 3**
8 **of this 2005 Act; and**

9 **(3) Paying the expenses incurred in administering this 2005 Act, as provided in section 4**
10 **of this 2005 Act.**

11 **SECTION 2. The Department of Justice, for the biennium beginning July 1, 2005, may**
12 **allocate from the appropriation made by section 1 of this 2005 Act moneys for the payment**
13 **of expenses of district attorneys.**

14 **SECTION 3. (1) The Department of Justice, for the biennium beginning July 1, 2005, may**
15 **allocate from the appropriation made by section 1 of this 2005 Act moneys for special pay-**
16 **ments to counties for deputy district attorneys who are employed by the counties and whose**
17 **salaries are not paid entirely from federal funds.**

18 **(2) Each county shall certify to the Department of Justice, not later than the fifth day**
19 **of each quarter, the number of eligible deputy district attorneys for whom compensation is**
20 **requested for the quarter. Eligible deputy district attorney positions for which counties may**
21 **claim compensation are those filled by incumbents on the first day of the quarter whose**
22 **salaries are not paid entirely from federal funds. A quarterly installment payment requested**
23 **by a county under this subsection for an eligible deputy district attorney must be reduced**
24 **by the amount of the salary of that deputy district attorney that is paid in the quarter from**
25 **federal funds.**

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 **(3) Commencing July 1, 2005, from the allocation made by subsection (1) of this section,**
2 **each county shall receive quarterly the amount of \$300 per deputy district attorney for up**
3 **to the first three deputy district attorneys certified by the county under subsection (2) of**
4 **this section. The remainder of the allocation made by subsection (1) of this section shall be**
5 **paid, in quarterly installments throughout the biennium, to the various counties, in amounts**
6 **that evenly divide each quarterly installment in direct proportion to the number of deputy**
7 **district attorneys certified under subsection (2) of this section, reduced by the number of**
8 **deputy district attorneys compensated by the minimum quarterly payment under this sub-**
9 **section.**

10 **SECTION 4. The Department of Justice, for the biennium beginning July 1, 2005, may**
11 **allocate from the appropriation made by section 1 of this 2005 Act moneys for the payment**
12 **of expenses incurred in administering this 2005 Act.**

13 **SECTION 5. This 2005 Act being necessary for the immediate preservation of the public**
14 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**
15 **July 1, 2005.**