

House Bill 2053

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Revenue)

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**.

Provides for expedited review by Supreme Court of challenge by adversely affected party asserting that bill passed by the Legislative Assembly with votes of less than three-fifths of members of each chamber of Legislative Assembly is bill for raising revenue.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to bills for raising revenue; and declaring an emergency.

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

SECTION 1. (1) Jurisdiction is conferred on the Supreme Court to determine in the manner provided by this section whether any bill passed by the Legislative Assembly with the votes of less than three-fifths of the members of each chamber of the Legislative Assembly is a bill for raising revenue as provided in Article IV, section 25 (2), of the Oregon Constitution.

(2) A person who is adversely affected by the passage of a bill described in subsection (1) of this section or who will be adversely affected by the passage of a bill described in subsection (1) of this section may institute a proceeding for review by filing with the Supreme Court a petition that meets the following requirements:

(a) The petition must be filed no later than 90 days after adjournment sine die of the legislative session in which the bill was passed.

(b) The petition must include the following:

(A) A statement of the basis of the petitioner's belief that the bill is a bill for raising revenue; and

(B) A statement and supporting affidavit showing how the petitioner is adversely affected.

(3) The petitioner shall serve a copy of the petition by registered or certified mail upon the Attorney General and the Governor.

(4) Proceedings for review under this section shall be given priority over all other matters before the Supreme Court.

(5) In the event the Supreme Court determines that there are factual issues in the petition, the Supreme Court may appoint a special master to hear evidence and to prepare recommended findings of fact.

(6) The Supreme Court may not award attorney fees to a petitioner in a proceeding under this section.

SECTION 2. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect

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 **on its passage.**

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