

Enrolled
House Bill 3446

Sponsored by Representative OLSON; Senators MANNING JR, THATCHER

CHAPTER

AN ACT

Relating to reduction of certain felonies to misdemeanors; creating new provisions; and amending ORS 161.525.

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

SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 161.705 to 161.737.

SECTION 2. Notwithstanding ORS 161.525, the court has authority, at any time after a sentence of probation has been completed, to enter judgment of conviction for a Class A misdemeanor for a person convicted of criminal driving while suspended or revoked under ORS 811.182 committed before September 1, 1999, and constituting a felony if:

- (1) The suspension or revocation resulted from habitual offender status under ORS 809.640;
- (2) The person successfully completed the sentence of probation; and
- (3) The court finds that, considering the nature and circumstances of the crime and the history and character of the person, it would be unduly harsh for the person to continue to have a felony conviction.

SECTION 3. ORS 161.525 is amended to read:

161.525. Except as provided in ORS 161.585 and 161.705 and section 2 of this 2017 Act, a crime is a felony if it is so designated in any statute of this state or if a person convicted under a statute of this state may be sentenced to a maximum term of imprisonment of more than one year.

Passed by House May 4, 2017

Repassed by House June 13, 2017

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 8, 2017

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State