

SENATE AMENDMENTS TO SENATE BILL 388

By COMMITTEE ON JUDICIARY

March 4

1 Delete lines 4 through 10 of the printed bill and insert:

2 **“SECTION 1. (1) When the Governor grants a pardon, the Governor or the Governor’s**
3 **designee shall within 10 days notify the presiding judge of the circuit court of the county in**
4 **which the pardoned conviction occurred.**

5 **“(2) Upon receipt of the notification described in subsection (1) of this section, the pre-**
6 **siding judge shall issue an order sealing the record of conviction and other official records**
7 **in the case, including the records of arrest, citation or charge but excluding records of the**
8 **pardon produced under ORS 144.650, 144.660 or 144.670. The clerk of the court shall forward**
9 **a certified copy of the order to such agencies as directed by the court.**

10 **“SECTION 2. Section 1 of this 2019 Act applies to pardons granted on or after the effec-**
11 **tive date of this 2019 Act.**

12 **“SECTION 3. (1) Within one year of the effective date of this 2019 Act, the Governor or**
13 **the Governor’s designee shall review each pardon granted within the five years prior to the**
14 **effective date of this 2019 Act and notify the presiding judge of the circuit court of the**
15 **county in which the pardoned conviction occurred.**

16 **“(2) Upon receipt of the notification described in subsection (1) of this section, the pre-**
17 **siding judge shall issue an order sealing the record of conviction and other official records**
18 **in the case, including the records of arrest, citation or charge but excluding records of the**
19 **pardon produced under ORS 144.650, 144.660 or 144.670. The clerk of the court shall forward**
20 **a certified copy of the order to such agencies as directed by the court.**

21 **“SECTION 4. (1) A person pardoned more than five years prior to the effective date of**
22 **this 2019 Act may request, in writing, that the Governor initiate the process of sealing re-**
23 **records relating to the pardoned conviction. The request must include the date of the pardon,**
24 **the crime of conviction and the county in which the pardoned conviction occurred.**

25 **“(2) Upon receipt of a request to seal records under subsection (1) of this section, the**
26 **Governor or the Governor’s designee shall confirm the information in the request and, upon**
27 **confirmation, shall notify the presiding judge of the circuit court of the county in which the**
28 **pardoned conviction occurred.**

29 **“(3) Upon receipt of the notification described in subsection (2) of this section, the pre-**
30 **siding judge shall issue an order sealing the record of conviction and other official records**
31 **in the case, including the records of arrest, citation or charge but excluding records of the**
32 **pardon produced under ORS 144.650, 144.660 or 144.670. The clerk of the court shall forward**
33 **a certified copy of the order to such agencies as directed by the court.”.**

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