



Open Government Impact Statement

81st Oregon Legislative Assembly
2021 Regular Session

Measure: SB 397

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Modifies procedure for filing motion to set aside conviction, arrest, citation or charge. Eliminates fees, fingerprinting and background check. Reduces waiting period for filing motion if person was revoked from probation, is seeking to set aside Class B felony or was convicted of other offense. Provides that court shall grant motion to set aside arrest, citation or charge, or motion to set aside conviction if no objection received. Modifies standard for granting motion over objection.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure requires a court to seal the record of a set aside conviction and other official records in the case, including the records of arrest, citation and charge.

If those public records were instead subject to mandatory disclosure under public records law, the public could gain additional information related to convictions that were later set aside.