

Minority Report
A-Engrossed
Senate Bill 697

Ordered by the Senate April 14
Including Senate Minority Report Amendments dated April 14

Sponsored by nonconcurring members of the Senate Committee on Judiciary: Senators LINTHICUM, THATCHER

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.

[Modifies process for setting aside convictions and guilty except for insanity judgments. Eliminates requirement that person submit fingerprint card with application. Eliminates ability of district attorney to object to motion. Provides that time period prior to motion that person is required to have no convictions applies to motions to set aside convictions only. Provides that dismissal of traffic violation citation may not be set aside. Authorizes court to waive remaining fines and fees upon entry of order.]

Directs Oregon Criminal Justice Commission to study expungements, including qualifications and procedures in other states, and to provide results of study to interim committees of Legislative Assembly related to judiciary no later than January 1, 2025. Authorizes commission to hire outside counsel to assist with study and appropriates moneys to commission to carry out study.

Sunsets January 2, 2025.

[Takes effect on 91st day following adjournment sine die.]

A BILL FOR AN ACT

1
2 Relating to expungements.

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

4 **SECTION 1.** (1) The Oregon Criminal Justice Commission shall study expungements of
5 arrests, charges, citations and convictions, including the qualifications and procedures for
6 expungements or the sealing or setting aside of records of arrests, charges, citations and
7 convictions in other states. The commission may, if necessary, hire outside counsel to assist
8 with the study.

9 (2) The commission shall provide the results of the study, including any recommended
10 legislative changes, in a report to the interim committees of the Legislative Assembly related
11 to the judiciary in the manner provided under ORS 192.245 no later than January 1, 2025.

12 **SECTION 2.** In addition to and not in lieu of any other appropriation, there is appropri-
13 ated to the Oregon Criminal Justice Commission, for the biennium beginning July 1, 2023,
14 out of the General Fund, the amount of \$150,000, for the purposes of carrying out the pro-
15 visions of section 1 of this 2023 Act.

16 **SECTION 3.** Section 1 of this 2023 Act is repealed on January 2, 2025.
17

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.