

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 98

By COMMITTEE ON JUDICIARY

May 15

1 On page 19 of the printed A-engrossed bill, delete lines 41 through 45.

2 On page 20, delete lines 1 through 10 and insert:

3 “**SECTION 21.** ORS 105.164 is amended to read:

4 “105.164. (1) On an annual basis, each justice and circuit court shall enter an order setting aside
5 a judgment and sealing the official records for each case for possession brought under ORS chapter
6 90 for which the court finds that:

7 “(a) The judgment does not contain a money award or that any money award has expired or
8 been satisfied or discharged; and

9 “(b)(A) The judgment was a judgment of restitution entered for the plaintiff and at least five
10 years have passed from the date of the judgment; or

11 “[*(B) The judgment was a judgment by stipulation of the parties under ORS 105.145 (2) and at*
12 *least 12 months have passed from the date of the judgment.*]

13 “**(B) The judgment was a judgment of dismissal or otherwise in favor of the defendant**
14 **and at least 12 months have passed from the date of the entry of the judgment.**

15 “(2) Upon entry of the order, the judgment that is the subject of the motion is deemed not to
16 have been entered, and any party may answer accordingly any questions relating to its occurrence.

17 “(3) Nothing in this section limits the ability of a defendant to apply for an order under ORS
18 105.163.”.

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