

Requested by HOUSE COMMITTEE ON JUDICIARY (at the request of Judicial Department)

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 98**

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
5 an order setting aside a judgment and sealing the official records for each
6 case for possession brought under ORS chapter 90 for which the court finds
7 that:

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

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

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

16 **“(B) The judgment was a judgment of dismissal or otherwise in fa-**
17 **vor of the defendant and at least 12 months have passed from the date**
18 **of the entry of the judgment.**

19 “(2) Upon entry of the order, the judgment that is the subject of the mo-
20 tion is deemed not to have been entered, and any party may answer accord-
21 ingly any questions relating to its occurrence.

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

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