

**Enrolled
House Bill 2324**

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary)

CHAPTER

AN ACT

Relating to courts.

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

SECTION 1. In any action in which a party alleges that an act, policy or practice of a public body, as defined in ORS 174.109, or of any officer, employee or agent of a public body, as defined in ORS 174.109, is unconstitutional or is otherwise contrary to law, the party may continue to prosecute the action and the court may issue a judgment on the validity of the challenged act, policy or practice even though the specific act, policy or practice giving rise to the action no longer has a practical effect on the party if the court determines that:

- (1) The party had standing to commence the action;**
- (2) The act challenged by the party is capable of repetition, or the policy or practice challenged by the party continues in effect; and**
- (3) The challenged policy or practice, or similar acts, are likely to evade judicial review in the future.**

Passed by House May 3, 2007

Received by Governor:

Repassed by House June 13, 2007

.....M.,....., 2007

Approved:

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Chief Clerk of House

.....M.,....., 2007

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Speaker of House

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Governor

Passed by Senate June 6, 2007

Filed in Office of Secretary of State:

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President of Senate

.....M.,....., 2007

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Secretary of State