

HOUSE AMENDMENTS TO HOUSE BILL 2324

By COMMITTEE ON JUDICIARY

April 30

1 In line 2 of the printed bill, delete “; amending ORS 3.014”.

2 Delete lines 4 through 18 and insert:

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

9 **“(1) The party had standing at the time the action was commenced;**

10 **“(2) The act challenged by the party is capable of repetition, or the policy or practice**
11 **challenged by the party continues in effect; and**

12 **“(3) The challenged policy or practice, or similar acts, policies or practices, are likely to**
13 **evade judicial review in the future.”.**

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