

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 345

By COMMITTEE ON JUDICIARY

June 5

1 On page 1 of the printed A-engrossed bill, line 2, delete “18.924,”.

2 On page 2, delete lines 8 and 9 and insert:

3 “(4) If a judgment creditor seeks sale of real property under a writ of execution, the instructions
4 to the sheriff must direct the sheriff to include the following notice in conspicuous language in the
5 notice of sale required by ORS 18.924:

6 “ _____

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8 Before bidding at the sale a prospective bidder should independently investigate:

9 (a) The priority of the lien or interest of the judgment creditor;

10 (b) Land use laws and regulations applicable to the property;

11 (c) Approved uses for the property;

12 (d) Limits on farming or forest practices on the property;

13 (e) Rights of neighboring property owners; and

14 (f) Environmental laws and regulations that affect the property.

15 “ _____ ”.

16

17 Delete lines 13 through 40.

18 In line 41, delete “3” and insert “2”.

19 On page 3, delete lines 1 through 4 and insert:

20 “(2) At least 10 days before the date first set for an execution sale, a judgment creditor must
21 provide the sheriff with any report for real property to be sold at the execution sale that is in the
22 possession of the judgment creditor and that shows interests of record in the property. The sheriff
23 shall make the report available to bidders who appear at the sale. No civil action may be brought
24 against a title company, the judgment creditor, the sheriff or any other person by reason of omis-
25 sions or errors in the report, and the validity of the sale is not affected by reason of any omissions
26 or errors in the report.”.

27 In line 22, delete “4” and insert “3”.

28 On page 4, delete lines 7 through 10 and insert:

29 “**SECTION 4. (1) The amendments to ORS 18.875 by section 1 of this 2007 Act apply only**
30 **to writs of execution issued on or after the effective date of this 2007 Act.**

31 “**(2) The amendments to ORS 18.930 and 18.970 by sections 2 and 3 of this 2007 Act apply**
32 **only to execution sales conducted on or after the effective date of this 2007 Act.**”.

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