

Enrolled Senate Bill 243

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary for Oregon State Bar Criminal Law Section)

CHAPTER

AN ACT

Relating to criminal procedure; creating new provisions; and amending ORS 136.535.

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

SECTION 1. ORS 136.535 is amended to read:

136.535. (1) Except that a new trial may not be granted on application of the state, ORS 19.430 and ORCP 64 A, B and D to G apply to and regulate new trials in criminal actions.

(2) **The provisions of ORCP 64 F governing motions for a new trial apply to and regulate motions in arrest of judgment in criminal actions.**

SECTION 2. The amendments to ORS 136.535 by section 1 of this 2009 Act apply only to motions in arrest of judgment in criminal actions filed on or after the effective date of this 2009 Act.

Passed by Senate March 10, 2009

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Secretary of Senate

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President of Senate

Passed by House May 11, 2009

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Speaker of House

Received by Governor:

.....M.,....., 2009

Approved:

.....M.,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M.,....., 2009

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Secretary of State