

**A-Engrossed**  
**Senate Bill 404**

Ordered by the Senate March 17  
Including Senate Amendments dated March 17

Sponsored by COMMITTEE ON JUDICIARY (at the request of American Civil Liberties Union of Oregon)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Repeals statutes that impose liability on plaintiff's attorney for costs awarded to defendant when plaintiff resides out of state or is foreign corporation.

Applies to all actions **and related contempt proceedings and ancillary proceedings**, whether filed before, on or after the effective date of Act, except actions in which final judgment has been entered before effective date of Act.

**Declares emergency, effective on passage.**

**A BILL FOR AN ACT**

1  
2 Relating to attorneys; creating new provisions; repealing ORS 20.160 and 20.170; and declaring an  
3 emergency.

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

5 **SECTION 1. ORS 20.160 and 20.170 are repealed.**

6 **SECTION 2. (1) Except as provided in subsection (2) of this section, the repeal of ORS**  
7 **20.160 and 20.170 by section 1 of this 2009 Act applies to all actions, whether filed before, on**  
8 **or after the effective date of this 2009 Act, and to any contempt proceeding or other ancillary**  
9 **proceeding arising out of the application of ORS 20.160 and 20.170, whether filed before, on**  
10 **or after the effective date of this 2009 Act.**

11 **(2) The repeal of ORS 20.160 and 20.170 by section 1 of this 2009 Act does not apply to an**  
12 **action filed before the effective date of this 2009 Act in which a judgment has been entered**  
13 **that is no longer subject to appeal on the effective date of this 2009 Act, or to a contempt**  
14 **proceeding or other ancillary proceeding arising out of the application of ORS 20.160 and**  
15 **20.170 in which a judgment has been entered that is no longer subject to appeal on the ef-**  
16 **fective date of this 2009 Act.**

17 **SECTION 3. This 2009 Act being necessary for the immediate preservation of the public**  
18 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
19 **on its passage.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.