

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass the A-Engrossed Measure
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Bonamici, Dingfelder, Kruse, Whitsett, Prozanski
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Aaron Knott, Counsel
<b>Meeting Dates:</b>	5/18

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**WHAT THE MEASURE DOES:** Requires that a notice of lien for non-possessory chattel liens shall be a statement in writing verified by the attestation under penalty of perjury of the lien claimant.

**ISSUES DISCUSSED:**

- Foreign government requirements for formally authenticated documents
- Electronic filing and notarization requirements
- Renunciations of citizenship and claims of sovereignty as attempted defenses in criminal actions

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Section 1 of House Bill 2253 A pertains to the filing of liens. ORS 87.242 governs the filing of a written notice of claim of lien in the case of non-possessory chattel liens. Currently, this filing requires a statement made and notarized under oath and containing a statutorily described set of descriptive requirements as to the statement of demand and identity of relevant parties. Non-possessory chattel liens generally pertain to liens imposed due to the nonpayment of an account for materials, labor or services. House Bill 2253 A allows a lien claimant to file the notice of claim in writing verified by an attestation under penalty of perjury rather than by oath, eliminating the notary requirement. Section 2-5 of House Bill 2253 A allows agricultural lien claimants to make a similar attestation under ORS 87.705 and ORS 87.710.

Section 6 of House Bill 2253 A allows the Secretary of State to so register any person who is serving the State of Oregon or any of its subdivisions or any other public body as an elected official, appointed official, employee or agent and attest to the authenticity of the official acts of public officials in the State of Oregon.

Section 7 of House Bill 2253 A forbids the Secretary of State from certifying the signature of a notary public on a document pertaining to government allegiance, the renunciation of citizenship or claims of immunity from the laws of the state or nation.