

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)

Vote: 5 - 0 - 0

Yeas: Close, Dingfelder, Kruse, Roblan, Prozanski

Nays: 0

Exc.: 0

Prepared By: Anna Braun, Counsel

Meeting Dates: 5/16

WHAT THE MEASURE DOES: Requires court to waive public hearing notice for a name change application from a victim of domestic violence participating in the Address Confidentiality Program unless good cause is found by court. Requires court to seal record upon application. Requires record to be sealed even if application is denied unless court finds interest of public outweighs concerns of applicant. Does not apply to minors including applications by adults appearing as guardian ad litem for child. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: Clarifies does not apply to petitions for minors including adult applicant appearing as guardian ad litem for a minor.

BACKGROUND: Name change applications and judgments are governed by ORS 33.420 and require public notice. House Bill 2226 B allows a victim of domestic violence to change his or her name without the public hearing or notice if he or she participates in the Address Confidentiality Program under ORS 192.826. The court may require a notice if good cause is shown, meaning a court finds a lawful purpose outweighs the risk of disclosure under ORS 192.848. A court also has the authority to seal the record.

The Address Confidentiality Program established under ORS 192.826 was established by the Department of Justice to enable victims of domestic violence, sexual offense, stalking or human trafficking to protect the confidentiality of their address.