

Enrolled
House Bill 2226

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Oregon Advocacy Commissions Office)

CHAPTER

AN ACT

Relating to change of name proceedings; creating new provisions; amending ORS 33.420; and declaring an emergency.

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

SECTION 1. ORS 33.420 is amended to read:

33.420. (1) Before entering a judgment for a change of name, except as provided in ORS 109.360, the court shall require public notice of the application to be given, that all persons may show cause why the same should not be granted. The court shall also require public notice to be given of the change after the entry of the judgment.

(2) Before entering a judgment for a change of name in the case of a minor child the court shall require that, in addition to the notice required under subsection (1) of this section, written notice be given to the parents of the child, both custodial and noncustodial, and to any legal guardian of the child.

(3) Notwithstanding subsection (2) of this section, notice of an application for the change of name of a minor child need not be given to a parent of the child if the other parent of the child files a verified statement in the change of name proceeding that asserts that the minor child has not resided with the other parent and that the other parent has not contributed or tried to contribute to the support of the child.

(4)(a) Upon the request of an applicant, the court shall waive the requirement of public notice of the application for or judgment for a change of name under subsection (1) of this section if the applicant is a certified adult program participant in the Address Confidentiality Program under ORS 192.826, unless the court issues an order pursuant to a finding of good cause under ORS 192.848.

(b) If the court grants an applicant's request to waive the public notice requirement under this subsection, the court shall seal the record of the case.

(c) If the court denies an applicant's request to waive the public notice requirement under this subsection, the court shall seal the record of the case unless the court finds that the interest of the public in the case outweighs the safety concerns of the applicant.

(d) This subsection does not apply to an adult applicant appearing as a guardian ad litem for a minor child.

SECTION 2. The amendments to ORS 33.420 by section 1 of this 2013 Act apply to notices published or orders issued under ORS 33.420 on or after the effective date of this 2013 Act.

SECTION 3. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by House April 29, 2013

Received by Governor:

Repassed by House May 30, 2013

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Approved:

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Ramona J. Line, Chief Clerk of House

.....M,....., 2013

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Tina Kotek, Speaker of House

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John Kitzhaber, Governor

Passed by Senate May 28, 2013

Filed in Office of Secretary of State:

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Peter Courtney, President of Senate

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Kate Brown, Secretary of State