

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Judiciary

MEASURE: SB 363 A
CARRIER: Rep. Greenlick

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/28/15

Action: Do Pass.

Meeting Dates: 04/28

Vote:

Yeas: 8 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Post, Sprenger

Exc: 1 - Williamson

Prepared By: Channa Newell, Counsel

WHAT THE MEASURE DOES:

Prohibits prosecuting attorney from charging defendant fee for performing duties associated with processing order to set aside conviction or record of arrest.

ISSUES DISCUSSED:

- Processing fees in eight counties range from \$40 to \$100
- Fee is in addition to \$80 fee for fingerprint processing and \$252 filing fee
- Additional fee may be barrier to removing arrest or conviction from record

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Oregon Revised Statute 137.225 outlines the steps for a defendant to have a conviction set aside or the record of arrest set aside. The steps include sending a full set of defendant's fingerprints to the office of the prosecuting attorney, who forwards the prints to the State Police. The defendant pays an \$80 fee to the State Police. There have been reports of some offices charging an additional fee for processing fingerprints.

SB 363 A prohibits a district attorney from charging a defendant an extra fee for performing duties associated with processing expunctions.