

SENATE AMENDMENTS TO RESOLVE CONFLICTS TO A-ENGROSSED HOUSE BILL 2366

By COMMITTEE ON JUDICIARY

June 5

1 On page 1 of the printed A-engrossed bill, delete lines 4 through 24 and insert:

2 “**SECTION 1.** ORS 21.135, as amended by section 4, chapter 76, Oregon Laws 2014, is amended
3 to read:

4 “21.135. (1) Unless a specific fee is provided by **subsection (3) of this section** or other law for
5 a proceeding, a circuit court shall collect a filing fee of \$252 when a complaint or other document
6 is filed for the purpose of commencing an action or other civil proceeding and when an answer or
7 other first appearance is filed in the proceeding.

8 “(2) The filing fee established by **subsection (1) of this section** applies to:

9 “(a) Proceedings in which only equitable remedies are sought.

10 “(b) Appeals from a conviction of a violation in justice or municipal courts as provided in ORS
11 21.285.

12 “(c) Interpleader actions.

13 “[*d*] *Adoptions under ORS chapter 109.*]

14 “[*e*] **(d)** Actions relating to a trust.

15 “[*f*] **(e)** Proceedings for judicial review of an agency order.

16 “[*g*] **(f)** Declaratory judgment actions.

17 “[*h*] **(g)** Any other action or proceeding that is statutorily made subject to the fee established
18 by this section and any other civil proceeding for which a specific filing fee is not provided.

19 “**(3) The circuit court shall collect a filing fee of \$255 in adoption cases under ORS chap-**
20 **ter 109 when a petition is filed for the purpose of commencing an adoption proceeding or**
21 **when any other document or other first appearance is filed in the proceeding. The fee shall**
22 **include the cost of issuing one or more certificates of adoption under ORS 109.410.**

23 “**SECTION 1a.** If House Bill 2365 becomes law, section 1 of this 2015 Act (amending ORS
24 21.135) is repealed and ORS 21.135, as amended by section 4, chapter 76, Oregon Laws 2014,
25 and section 8, chapter __, Oregon Laws 2015 (Enrolled House Bill 2365), is amended to read:

26 “21.135. (1) Unless a specific fee is provided by **subsection (3) of this section** or other law for
27 a proceeding, a circuit court shall collect a filing fee of \$252 when a complaint or other document
28 is filed for the purpose of commencing an action or other civil proceeding and when an answer or
29 other first appearance is filed in the proceeding.

30 “(2) The filing fee established by **subsection (1) of this section** applies to:

31 “(a) Proceedings in which only equitable remedies are sought.

32 “(b) Appeals from a conviction of a violation in justice or municipal courts as provided in ORS
33 21.285.

34 “(c) Interpleader actions.

35 “[*d*] *Adoptions under ORS chapter 109, excluding readoptions under ORS 109.385, provided that*

1 *when separate petitions for adoption of multiple minor children are concurrently filed under ORS*
2 *109.309 by the same petitioner, one filing fee shall be charged for the first petition filed and the filing*
3 *fees for concurrently filed petitions shall not be charged.]*

4 “[*e*] (d) Actions relating to a trust.

5 “[*f*] (e) Proceedings for judicial review of an agency order.

6 “[*g*] (f) Declaratory judgment actions.

7 “[*h*] (g) Any other action or proceeding that is statutorily made subject to the fee established
8 by this section and any other civil proceeding for which a specific filing fee is not provided.

9 **“(3)(a) The circuit court shall collect a filing fee of \$255 in adoption cases under ORS**
10 **chapter 109, excluding readoptions under ORS 109.385, when a petition is filed for the purpose**
11 **of commencing an adoption proceeding or when any other document or other first appear-**
12 **ance is filed in the proceeding. The fee shall include the cost of issuing one or more certif-**
13 **icates of adoption under ORS 109.410.**

14 **“(b) When separate petitions for adoption of multiple minor children are concurrently**
15 **filed under ORS 109.309 by the same petitioner, one filing fee shall be charged for the first**
16 **petition filed and the filing fees for concurrently filed petitions shall not be charged.”.**