

House Bill 2380

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Attorney General Ellen F. Rosenblum)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes court in post-conviction relief proceeding, upon joint motion of parties, to vacate judgment or order and remand proceeding to circuit court to reconsider judgment or order. Authorizes circuit court to enter revised judgment or order.

A BILL FOR AN ACT

1
2 Relating to post-conviction relief.

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

4 **SECTION 1. (1) Upon joint motion of the parties to an appeal in a post-conviction relief**
5 **proceeding, the court may vacate the judgment or order from which the appeal was taken**
6 **and remand the matter to the circuit court to reconsider the judgment or order. Upon re-**
7 **mand, the circuit court shall have jurisdiction to enter a revised judgment or order.**

8 **(2) After entry of a modified judgment or order on reconsideration, or upon reentry of**
9 **the original judgment or order, either party may appeal in the same time and manner as an**
10 **appeal from the original judgment or order.**

11 **SECTION 2. Section 1 of this 2015 Act applies to post-conviction relief petitions filed on**
12 **or after the effective date of this 2015 Act.**

13

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.