

**PROPOSED AMENDMENTS TO
HOUSE BILL 2340**

1 On page 2 of the printed bill, delete lines 23 through 45.

2 On page 3, delete lines 1 through 20 and insert:

3 **SECTION 2.** ORS 18.048 is amended to read:

4 “18.048. (1) Except as provided in this section, the judgment document in
5 a criminal action that contains a money award, whether by reason of a fine,
6 restitution, forfeiture of security under ORS 135.280, a fee, an assessment,
7 costs and disbursements or any other monetary obligation, must contain a
8 separate section clearly labeled at its beginning as a money award. The
9 separate section must be placed immediately above the judge’s or court
10 administrator’s signature. If the judgment includes an award of restitution,
11 the label of the separate section must so indicate.

12 “(2) The separate money award section described by subsection (1) of this
13 section must contain the following information:

14 “(a) A listing of the specific amounts awarded as fines, assessments, costs,
15 restitution and any other monetary obligations imposed in the sentence as
16 part of the money award. If the court is unable to determine the full amount
17 of restitution at the time of sentencing, the court may include the amount
18 that can be determined or may establish a maximum amount.

19 “(b) If restitution or a compensatory fine is ordered, the name [*and ad-*
20 *dress*] of the person to whom the court should disburse payments, unless the
21 victim requests that this information be exempt from disclosure in the public
22 record.

1 “(c) A statement that, subject to amendment of a judgment under ORS
2 137.107, money required to be paid as a condition of probation remains pay-
3 able after revocation of probation only if the amount is included in the
4 money award portion of the judgment document, even if the amount is re-
5 ferred to in other parts of the judgment document.

6 “(d) Unless immediate payment is required, the specific terms of payment
7 imposed or allowed by the court.

8 “(e) If payment of all or part of a monetary obligation is suspended, a
9 statement specifying the nature and amount of the suspended obligations.

10 “(3) The requirements of this section and ORS 18.038 do not apply to a
11 judgment document if the action was commenced by the issuance of a uni-
12 form citation adopted under ORS 1.525 and the court has used the space on
13 the citation for the entry of a judgment. The exemption provided by this
14 subsection does not apply if any indictment, information or complaint other
15 than a uniform citation is filed in the action.

16 “(4) If a judgment is for conviction of a violation as described in ORS
17 153.008, the judgment creates a lien only if the court so orders. If a judgment
18 does not create a lien under this subsection, the judgment document need
19 not contain the separate money award section described by subsection (1) of
20 this section.

21 “(5) A judgment in a criminal action that contains a money award is a
22 judgment in favor of the state and may be enforced only by the state.

23 “(6) A judgment in a criminal action that includes a money award, but
24 does not contain a separate section clearly labeled as a money award, does
25 not create a judgment lien but may be enforced by any other judgment rem-
26 edy.”.

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