

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 3040**

1 In line 2 of the printed A-engrossed bill, after the semicolon delete the
2 rest of the line and insert “amending ORS 135.173.”.

3 Delete lines 4 through 12 and insert:

4 **“SECTION 1.** ORS 135.173 is amended to read:

5 “135.173. The Oregon Evidence Code shall apply in any preliminary hear-
6 ing under this chapter, except that hearsay may be admitted [*if the court*
7 *determines that it would impose an unreasonable hardship on one of the par-*
8 *ties or on a witness to require that the primary source of the evidence be*
9 *produced at the hearing, and if the witness furnishes information bearing on*
10 *the informant’s reliability and, as far as possible, the means by which the in-*
11 *formation was obtained] **during the sworn testimony of a peace officer,**
12 **as defined in ORS 161.015, who relates an out-of-court statement of a**
13 **declarant that is offered for the truth of the matter asserted. In order**
14 **for a peace officer to testify to a hearsay statement pursuant to this**
15 **section, the officer must have at least five years of law enforcement**
16 **experience or have completed a training course, certified by the De-**
17 **partment of Public Safety Standards and Training, that includes**
18 **training in investigating and reporting cases and testifying at grand**
19 **jury proceedings.”.***