

SB 507 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 2/16

WHAT THE MEASURE DOES:

Clarifies general rule that conviction for Class C felony may be set aside by court.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: Has minimal fiscal impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

BACKGROUND:

In 2015, the Legislative Assembly consolidated two separate provisions of law authorizing the expungement of Class C felonies. See section 32a (5)(b) and (d), chapter 820, Oregon Laws 2015 (2015 House Bill 2320). The consolidated text in ORS 137.225 (5)(b) now provides a general rule that a conviction may be expunged if it is for any "crime punishable as a misdemeanor, including judgment of conviction for a misdemeanor pursuant to ORS 161.705." ORS 161.705, in turn, authorizes a court to reduce a Class C felony to a Class A misdemeanor. A Class C felony is thus *punishable* as a Class A misdemeanor within the meaning of ORS 137.225 (5)(b). Senate Bill 507 clarifies that, in the ordinary case, a Class C felony may be expunged.