

SB 896 STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Joint Committee On Ways and Means

Action Date: 06/09/17

Action: Do pass.

Senate Vote

Yeas: 12 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters

House Vote

Yeas: 11 - Gomberg, Holvey, Huffman, McLane, Nathanson, Rayfield, Smith G, Smith Warner, Stark, Whisnant, Williamson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: John Terpening, Fiscal Analyst

WHAT THE MEASURE DOES:

Modernizes law related to appeals in criminal cases. Describes when trial court ruling is eligible for appeal and which portions of ruling are eligible for review.

ISSUES DISCUSSED:

- Fiscal impact of the bill
- Need for clarification on statutes related to criminal case appeals
- Potential workload increase to DOJ Appellate Division

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

When a defendant is prosecuted for a crime in a court of record, the defendant has the ability to appeal certain decisions of the trial court to an appellate court. Many of the statutes governing this process were adopted prior to the 1953 revision of the Oregon Revised Statutes, and some can be traced back to the middle of the nineteenth century. In 2015, the Appellate Commissioner for the Oregon Court of Appeals requested that the Oregon Law Commission (OLC) sponsor a work group to overhaul the procedural law governing appeals in criminal cases. The OLC convened a work group consisting of trial and appellate lawyers and judges, and invited other interested parties to participate. SB 896 is the result of this process and modernizes the law relating to criminal appeals.