

**A-Engrossed**  
**House Bill 3446**

Ordered by the House April 26  
Including House Amendments dated April 26

Sponsored by Representative OLSON

**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.

Provides that court has authority to enter judgment of conviction for Class A misdemeanor at any time after person has successfully completed sentence of probation if person was convicted of [*certain Class C felony traffic offenses*] **criminal driving while suspended or revoked** and court makes certain findings.

**A BILL FOR AN ACT**

Relating to reduction of certain felonies to misdemeanors; amending ORS 161.705.

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

**SECTION 1.** ORS 161.705 is amended to read:

161.705. **(1)** Notwithstanding ORS 161.525, the court may enter judgment of conviction for a Class A misdemeanor and make disposition accordingly when:

[(1)(a)] **(a)(A)** A person is convicted of any Class C felony; or

[(b)] **(B)** A person convicted of a **Class C** felony [*described in paragraph (a) of this subsection*], of possession or delivery of marijuana constituting a Class B felony, or of a Class A felony pursuant to ORS 166.720, has successfully completed a sentence of probation; and

[(2)] **(b)** The court, considering the nature and circumstances of the crime and the history and character of the defendant, believes that it would be unduly harsh to sentence the defendant for a felony.

**(2) The court has authority, at any time after a sentence of probation has been completed, to enter judgment of conviction for a Class A misdemeanor if:**

**(a) A person is convicted of criminal driving while suspended or revoked under ORS 811.182;**

**(b) The person successfully completed the sentence of probation; and**

**(c) The court finds that, considering the nature and circumstances of the crime and the history and character of the person, it would be unduly harsh for the person to continue to have a felony conviction.**

**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.