

**B-Engrossed**  
**House Bill 3446**

Ordered by the Senate June 6  
Including House Amendments dated April 26 and Senate Amendments  
dated June 6

Sponsored by Representative OLSON; Senators MANNING JR, THATCHER

**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*] for criminal driving while suspended or revoked **if offense was felony, resulted from habitual offender status** and court makes certain findings.

**A BILL FOR AN ACT**

1  
2 Relating to reduction of certain felonies to misdemeanors; creating new provisions; and amending  
3 ORS 161.525.

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

5 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 161.705 to**  
6 **161.737.**

7 **SECTION 2. Notwithstanding ORS 161.525, the court has authority, at any time after a**  
8 **sentence of probation has been completed, to enter judgment of conviction for a Class A**  
9 **misdemeanor for a person convicted of criminal driving while suspended or revoked under**  
10 **ORS 811.182 committed before September 1, 1999, and constituting a felony if:**

11 (1) **The suspension or revocation resulted from habitual offender status under ORS**  
12 **809.640;**

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

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

17 **SECTION 3. ORS 161.525 is amended to read:**

18 161.525. Except as provided in ORS 161.585 and 161.705 **and section 2 of this 2017 Act**, a crime  
19 is a felony if it is so designated in any statute of this state or if a person convicted under a statute  
20 of this state may be sentenced to a maximum term of imprisonment of more than one year.

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**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.