

House Bill 3446

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 **as introduced**.

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 and court makes certain findings.

A BILL FOR AN ACT

1
2 Relating to reduction of certain felonies to misdemeanors; amending ORS 161.705.

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

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

5 161.705. (1) Notwithstanding ORS 161.525, the court may enter judgment of conviction for a
6 Class A misdemeanor and make disposition accordingly when:

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

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

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

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

16 **(a) A person is convicted of a Class C felony traffic offense that did not involve driving**
17 **under the influence of intoxicants or causing physical injury to, or the death of, any person;**

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

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

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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.