

Requested by Representative VIAL

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2920**

1 On page 1 of the printed A-engrossed bill, line 2, delete “18.235” and insert  
2 “18.950”.

3 Delete lines 4 through 26 and delete page 2 and insert:

4 **“SECTION 1.** ORS 18.950 is amended to read:

5 “18.950. (1) After the deduction of all sheriff’s fees and costs allowed by  
6 law that have not been paid by the judgment creditor, and deduction of all  
7 other amounts required by law, the sheriff shall deliver all net proceeds from  
8 an execution sale to the court administrator with the sheriff’s return on the  
9 writ. The court shall enter an order of distribution for the proceeds. An or-  
10 der directing distribution to the judgment creditor may be entered ex parte.

11 “(2) A judgment creditor is entitled to recover from the proceeds of the  
12 sale all of the following costs of sale paid by the judgment creditor:

13 “(a) Sheriff’s fees;

14 “(b) The cost of any title report required to determine persons entitled to  
15 notice under ORS 18.918 (2);

16 “(c) The cost of any indemnity bond or letter of credit required by ORS  
17 18.886;

18 “(d) Amounts that may be recovered by the judgment creditor under ORS  
19 18.999;

20 “(e) Services fees that may be recovered as costs under ORS 18.912; and

21 “(f) Recording fees incurred pursuant to ORS 18.870.

1       “(3) The court shall order that the costs specified in subsection (2) of this  
2 section be paid before application of the remaining proceeds to satisfaction  
3 of the judgment.

4       “(4) If any proceeds from an execution sale remain after the payment of  
5 costs under subsection (3) of this section and satisfaction of the judgment,  
6 the court administrator shall pay the remaining proceeds as directed by the  
7 court in the order of distribution.

8       **“(5)(a) Upon receipt of the proceeds of the execution sale of real  
9 property, the judgment creditor shall file a satisfaction document as  
10 provided in ORS 18.225 for the amount credited against any money  
11 award portion of a judgment.**

12       **“(b) The judgment debtor or other person with an interest in the  
13 real property may request in writing to the judgment creditor that the  
14 judgment creditor file a satisfaction document. If the judgment credi-  
15 tor does not file a satisfaction document within 10 days after receiving  
16 the request, the person making the request may file a motion under  
17 ORS 18.235.**

18       **“(c) If the court finds that the judgment creditor failed to file a  
19 satisfaction document under ORS 18.225 within 10 days after receiving  
20 a written request under paragraph (b) of this subsection, the court  
21 may render a supplemental judgment awarding reasonable attorney  
22 fees to the person making the motion, unless the judgment creditor  
23 establishes that the failure to file the satisfaction document was not  
24 the fault of the judgment creditor.”.**

25       On page 3, line 1, delete “18.235” and insert “18.950”.

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