

SENATE AMENDMENTS TO SENATE BILL 1002

By COMMITTEE ON JUDICIARY

May 14

1 In line 2 of the printed bill, before the period insert “; creating new provisions; and amending
2 section 2, chapter 37, Oregon Laws 2018”.

3 Delete lines 4 through 9 and insert:

4 “**SECTION 1.** Section 2, chapter 37, Oregon Laws 2018, is amended to read:

5 “**Sec. 2.** (1) A prosecuting attorney may not condition a defendant’s plea offer on:

6 “(a) The defendant’s waiver of:

7 “(A) The disclosure obligation of ORS 135.815 (1)(g).

8 “(B) The ability to receive the audio recording of grand jury proceedings as permitted under
9 ORS 132.270, if the indictment has been indorsed ‘a true bill.’

10 “(C) **Eligibility for transitional leave under ORS 421.168.**

11 “(D) **Eligibility for a reduction in the term of incarceration under ORS 421.120 or 421.121.**

12 “(b) A requirement that the defendant or the defense attorney stipulate to the
13 unconstitutionality of an existing law.

14 “(2)(a) A plea agreement may not contain a provision prohibited by subsection (1) of this section.

15 “(b) A prohibited provision described in subsection (1) of this section in a plea agreement is
16 contrary to public policy and is void and unenforceable.

17 “**SECTION 2. The amendments to section 2, chapter 37, Oregon Laws 2018, by section 1**
18 **of this 2019 Act apply to plea agreements entered into on or after the effective date of this**
19 **2019 Act.”.**

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