

A-Engrossed
Senate Bill 388

Ordered by the Senate March 4
Including Senate Amendments dated March 4

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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.

Directs Governor or designee to notify presiding judge of circuit court of county of conviction within 10 days of granting pardon. **Directs Governor or designee to review pardons granted within five years prior to effective date of Act and notify presiding judge of circuit court of county of conviction.** Directs presiding judge to, upon receipt of notification, issue order sealing record of conviction and other official records of case. **Exempts from sealing records related to pardon.**

Authorizes person granted pardon more than five years before effective date of Act to request that Governor initiate process of sealing records.

A BILL FOR AN ACT

1
2 Relating to pardons.

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

4 **SECTION 1. (1) When the Governor grants a pardon, the Governor or the Governor's**
5 **designee shall within 10 days notify the presiding judge of the circuit court of the county in**
6 **which the pardoned conviction occurred.**

7 **(2) Upon receipt of the notification described in subsection (1) of this section, the pre-**
8 **siding judge shall issue an order sealing the record of conviction and other official records**
9 **in the case, including the records of arrest, citation or charge but excluding records of the**
10 **pardon produced under ORS 144.650, 144.660 or 144.670. The clerk of the court shall forward**
11 **a certified copy of the order to such agencies as directed by the court.**

12 **SECTION 2. Section 1 of this 2019 Act applies to pardons granted on or after the effective**
13 **date of this 2019 Act.**

14 **SECTION 3. (1) Within one year of the effective date of this 2019 Act, the Governor or**
15 **the Governor's designee shall review each pardon granted within the five years prior to the**
16 **effective date of this 2019 Act and notify the presiding judge of the circuit court of the**
17 **county in which the pardoned conviction occurred.**

18 **(2) Upon receipt of the notification described in subsection (1) of this section, the pre-**
19 **siding judge shall issue an order sealing the record of conviction and other official records**
20 **in the case, including the records of arrest, citation or charge but excluding records of the**
21 **pardon produced under ORS 144.650, 144.660 or 144.670. The clerk of the court shall forward**
22 **a certified copy of the order to such agencies as directed by the court.**

23 **SECTION 4. (1) A person pardoned more than five years prior to the effective date of this**

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.

1 **2019 Act may request, in writing, that the Governor initiate the process of sealing records**
2 **relating to the pardoned conviction. The request must include the date of the pardon, the**
3 **crime of conviction and the county in which the pardoned conviction occurred.**

4 **(2) Upon receipt of a request to seal records under subsection (1) of this section, the**
5 **Governor or the Governor's designee shall confirm the information in the request and, upon**
6 **confirmation, shall notify the presiding judge of the circuit court of the county in which the**
7 **pardoned conviction occurred.**

8 **(3) Upon receipt of the notification described in subsection (2) of this section, the pre-**
9 **siding judge shall issue an order sealing the record of conviction and other official records**
10 **in the case, including the records of arrest, citation or charge but excluding records of the**
11 **pardon produced under ORS 144.650, 144.660 or 144.670. The clerk of the court shall forward**
12 **a certified copy of the order to such agencies as directed by the court.**

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