SENATE AMENDMENTS TO
SENATE BILL 388
By COMMITTEE ON JUDICIARY
March 4

Delete lines 4 through 10 of the printed bill and insert:

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

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

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

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

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

“SECTION 4. (1) A person pardoned more than five years prior to the effective date of this 2019 Act may request, in writing, that the Governor initiate the process of sealing records relating to the pardoned conviction. The request must include the date of the pardon, the crime of conviction and the county in which the pardoned conviction occurred.

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

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