

SB 1002-1
(LC 1475)
3/25/19 (JLM/ps)

Requested by SENATE COMMITTEE ON JUDICIARY (at the request of Senator Floyd Prozanski)

**PROPOSED AMENDMENTS TO
SENATE BILL 1002**

1 In line 2 of the printed bill, before the period insert “; creating new pro-
2 visions; and amending 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
5 read:

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

8 “(a) The defendant’s waiver of:

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

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

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

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

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

18 “(2)(a) A plea agreement may not contain a provision prohibited by sub-
19 section (1) of this section.

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

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

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