

**HB 2324 STAFF MEASURE SUMMARY**

**House Committee On Judiciary**

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**Prepared By:** Lucy Ohlsen, LPRO Analyst

**Meeting Dates:** 1/19, 1/26

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**WHAT THE MEASURE DOES:**

Modifies requirements for submitting a timely and valid notice of appeal by mail.

**ISSUES DISCUSSED:**

Need for clarification of statutory language given Oregon Supreme Court opinion.

What kind of proof is sufficient to show date of mailing, if no stamp is placed on an appeal the date it is given to the US Postal Service for mailing.

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

In 2020, the Oregon Supreme Court ruled in *State v. Chapman*, that the use of first class mail satisfies the proof of mailing requirement for initiating an appeal by mail pursuant to ORS 19.260. No document showing proof of mailing, apart from having proof by virtue of a postmark on the envelope containing the notice of appeal, is required.

House Bill 2324 would modify ORS 19.260 to codify the ruling in *Chapman*, clarifying that no additional proof beyond a postmark is required to satisfy the proof of mailing requirement in ORS 19.260.