

# House Bill 2225

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Chief Justice Martha L. Walters for Judicial Department)

## 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 **as introduced**.

- Increases fees that may be charged for preparation of court transcripts.
- Modifies provisions relating to assignment of senior judges.
- Modifies provisions relating to certain judges' authority to authorize execution of search warrant.
- Provides that method of service for certain order relating to parenting time is method provided by law for summons.
- Corrects incorrect references.
- Provides that court filings remain confidential until reviewed and accepted by court.
- Modifies provisions relating to contempt.
- Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to courts; creating new provisions; amending ORS 1.300, 7.095, 21.135, 21.200, 21.205, 21.345, 33.055, 107.434, 133.545 and 136.600; and declaring an emergency.

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

## TRANSCRIPTION FEES

**SECTION 1.** ORS 21.345 is amended to read:

21.345. (1)(a) A transcriber may not charge more than [~~\$3~~] **\$4.25** per page for preparation of a transcript.

**(b) The Judicial Department may periodically increase the maximum fee a transcriber may charge to account for changes in the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the United States Department of Labor, since the last time the fee was increased. If the Judicial Department increases the fee under this paragraph, the adjusted maximum fee shall be rounded to the nearest quarter dollar, but the unrounded amount shall be used to calculate subsequent adjustments. The increased fee becomes effective on July 1 following the election to increase the fee and applies to transcripts ordered on or after July 1 following the election to increase the fee.**

~~(b)~~ (c) A transcriber may not charge a fee in addition to the fee established under this subsection for:

(A) An electronic copy required to be served on a party;

(B) A paper copy required to be served on an unrepresented party under ORS 19.370 (4)(a) or (b); or

(C) A paper copy required to be filed with the trial court under ORS 19.370 (4)(d).

(2) Except as provided in subsection (3) of this section, a reporter employed by one of the parties

**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 may charge fees as agreed to between the reporter and all of the parties to the proceeding for pre-  
 2 paring transcripts on appeal. The reporter and the parties must agree to the fees to be charged be-  
 3 fore the commencement of the proceeding to be recorded. A share of any fees agreed upon shall be  
 4 charged to parties joining the proceeding after the commencement of the proceeding.

5 (3) A reporter employed by one of the parties may not charge a public body, as defined by ORS  
 6 174.109, fees for preparing transcripts on appeal that exceed the fees established by subsection (1)  
 7 of this section.

8 (4) Each page of the original transcript on appeal prepared under this section must be prepared  
 9 as specified by rules for transcripts on appeal adopted by the Supreme Court and the Court of Ap-  
 10 peals.

11 (5) Except as otherwise provided by law, the fees for preparing a transcript requested by a party  
 12 shall be paid forthwith by the party, and when paid shall be taxable as disbursements in the case.  
 13 The fees for preparing a transcript requested by the court, and not by a party, shall be paid by the  
 14 state from funds available for the purpose.

15 (6) When the court provides personnel to prepare transcripts from audio records of court pro-  
 16 ceedings, the fees provided in subsection (1) of this section to be paid by a party shall be paid to  
 17 the clerk of the court.

18 (7) For purposes of this section, “transcript” has the meaning given that term in ORS 19.005.

19  
 20 **SENIOR JUDGES**

21  
 22 **SECTION 2.** ORS 1.300 is amended to read:

23 1.300. (1) A judge who retires from the circuit court, Oregon Tax Court, Court of Appeals or  
 24 Supreme Court, except a judge retired under the provisions of ORS 1.310, may be designated a senior  
 25 judge of the State of Oregon by the Supreme Court and, if so designated, shall be so certified by the  
 26 Secretary of State.

27 (2)(a) Upon filing with the Secretary of State an oath of office as a senior judge as prescribed  
 28 in ORS 1.212, a senior judge is eligible for temporary assignment, with the consent of the senior  
 29 judge, by the [*Supreme Court*] **Chief Justice of the Supreme Court or the designee of the Chief**  
 30 **Justice**, to a state court as provided in this subsection, whenever the [*Supreme Court*] **Chief Justice**  
 31 **or the designee of the Chief Justice** determines that the assignment is reasonably necessary and  
 32 will promote the [*more*] efficient administration of justice.

33 (b) A senior judge who retired from the Supreme Court may be assigned **under this subsection**  
 34 to any state court.

35 (c) A senior judge who retired from a court other than the Supreme Court may be assigned  
 36 **under this subsection** to any state court other than the Supreme Court.

37 (d) **A senior judge assigned to serve as a circuit court judge may be assigned under this**  
 38 **subsection to serve in any one or more counties or judicial districts during the term of the**  
 39 **assignment.**

40 (3) The assignment of a senior judge [*shall be made by an order which*] shall designate the court  
 41 **or courts** to which the judge is assigned and the duration of the assignment. [*Promptly after as-*  
 42 *signment of a senior judge under this section, the Supreme Court shall cause a certified copy of the*  
 43 *order to be sent to the senior judge and another certified copy to the court to which the judge is as-*  
 44 *signed.*] **The Chief Justice or the designee of the Chief Justice shall promptly notify the senior**  
 45 **judge, and the court or courts to which the judge is assigned, of the assignment.**

1 (4) Each senior judge assigned as provided in this section has all the judicial powers and duties,  
 2 while serving under the assignment, of a regularly elected and qualified judge of the court to which  
 3 the senior judge is assigned. The powers, jurisdiction and judicial authority of the senior judge in  
 4 respect to any case or matter tried or heard by the senior judge while serving under the assignment  
 5 shall continue beyond the expiration of the assignment so far as may be necessary to:

6 (a) Decide and dispose of any case or matter on trial or held under advisement.

7 (b) Hear and decide any motion for a new trial or for a judgment notwithstanding a verdict, or  
 8 objections to any cost bill, that may be filed in the case.

9 (c) Settle a transcript for appeal and grant extensions of time therefor.

10 (5) A senior judge assigned as provided in this section shall receive as compensation for each  
 11 day the senior judge is actually engaged in the performance of duties under the assignment an  
 12 amount equal to five percent of the gross monthly salary of a regularly elected and qualified judge  
 13 of the court to which the senior judge is assigned, or one-half of that daily compensation for services  
 14 of one-half day or less. However, a retired judge shall not receive for services as a senior judge  
 15 during any calendar year a sum of money which when added to the amount of any judicial retire-  
 16 ment pay received by the senior judge for the year exceeds the annual salary of a judge of the court  
 17 from which the senior judge retired. The compensation shall be paid upon the certificate of the  
 18 senior judge that the services were performed for the number of days shown in the certificate. Ser-  
 19 vices by a senior judge under an assignment and receipt of compensation for services shall not re-  
 20 duce or otherwise affect the amount of any retirement pay to which the senior judge otherwise  
 21 would be entitled.

22 (6) A senior judge assigned to a court located outside the county in Oregon in which the senior  
 23 judge regularly resides shall receive, in addition to daily compensation, reimbursement for hotel bills  
 24 and traveling expenses necessarily incurred in the performance of duties under the assignment. The  
 25 expenses shall be paid upon presentation of an itemized statement of the expenses, certified by the  
 26 senior judge to be correct.

27 **SECTION 3.** ORS 133.545 is amended to read:

28 133.545. (1) A search warrant may be issued only by a judge. A search warrant issued by a judge  
 29 of the Supreme Court or the Court of Appeals may be executed anywhere in the state. Except as  
 30 otherwise provided in subsections (2), (3) and (4) of this section, a search warrant issued by a judge  
 31 of a circuit court may be executed only within the judicial district in which the court is located.  
 32 A search warrant issued by a justice of the peace may be executed only within the county in which  
 33 the justice court is located. A search warrant issued by a municipal judge authorized to exercise the  
 34 powers and perform the duties of a justice of the peace may be executed only in the municipality  
 35 in which the court is located.

36 (2) Notwithstanding subsection (1) of this section, a circuit court judge may authorize execution  
 37 of a search warrant outside the judicial district in which the court is located, if the judge finds from  
 38 the application that one or more of the objects of the search relate to an offense committed or  
 39 triable within the judicial district in which the court is located. If the warrant authorizes the in-  
 40 stallation or tracking of a mobile tracking device, the officer may track the device in any county  
 41 to which it is transported.

42 (3) Notwithstanding subsection (1) of this section, a circuit court judge duly assigned pursuant  
 43 to ORS 1.615 to serve as a judge pro tempore in a circuit court, **or a senior judge duly assigned**  
 44 **to serve in a circuit court under ORS 1.300 and who has authorization from the presiding**  
 45 **judge of that judicial district**, may authorize execution of a search warrant in any judicial district

1 in which the judge [*serves as judge pro tempore if the application requesting the warrant includes an*  
 2 *affidavit showing that a regularly elected or appointed circuit court judge for the judicial district is*  
 3 *not available, whether by reason of conflict of interest or other reason, to issue the warrant within a*  
 4 *reasonable time*] **is assigned to serve as judge pro tempore or as senior judge.**

5 (4) Notwithstanding subsection (1) of this section, a circuit court judge may authorize execution  
 6 of a search warrant outside the judicial district in which the court is located if the judge finds that:

7 (a) The search relates to one of the following offenses involving a victim who was 65 years of  
 8 age or older at the time of the offense:

9 (A) Criminal mistreatment in the first degree as described in ORS 163.205 (1)(b)(D) or (E);

10 (B) Identity theft;

11 (C) Aggravated identity theft;

12 (D) Computer crime;

13 (E) Fraudulent use of a credit card;

14 (F) Forgery in any degree;

15 (G) Criminal possession of a forged instrument in any degree;

16 (H) Theft in any degree; or

17 (I) Aggravated theft in the first degree;

18 (b) The objects of the search consist of financial records; and

19 (c) The person making application for the search warrant is not able to ascertain at the time  
 20 of the application the proper place of trial for the offense described in paragraph (a) of this sub-  
 21 section.

22 (5) Application for a search warrant may be made only by a district attorney, a police officer  
 23 or a special agent employed under ORS 131.805.

24 (6) The application shall consist of a proposed warrant in conformance with ORS 133.565, and  
 25 shall be supported by one or more affidavits particularly setting forth the facts and circumstances  
 26 tending to show that the objects of the search are in the places, or in the possession of the indi-  
 27 viduals, to be searched. If an affidavit is based in whole or in part on hearsay, the affiant shall set  
 28 forth facts bearing on any unnamed informant's reliability and shall disclose, as far as possible, the  
 29 means by which the information was obtained.

30 (7) Instead of the written affidavit described in subsection (6) of this section, the judge may take  
 31 an oral statement under oath. The oral statement shall be recorded and a copy of the recording  
 32 submitted to the judge who took the oral statement. In such cases, the judge shall certify that the  
 33 recording of the sworn oral statement is a true recording of the oral statement under oath and shall  
 34 retain the recording as part of the record of proceedings for the issuance of the warrant. The re-  
 35 cording shall constitute an affidavit for the purposes of this section. The applicant shall retain a  
 36 copy of the recording and shall provide a copy of the recording to the district attorney if the district  
 37 attorney is not the applicant.

38 (8)(a) In addition to the procedure set out in subsection (7) of this section, the proposed warrant  
 39 and the affidavit may be sent to the court by facsimile transmission or any similar electronic  
 40 transmission that delivers a complete printable image of the signed affidavit and proposed warrant.  
 41 The affidavit may have a notarized acknowledgment, or the affiant may swear to the affidavit by  
 42 telephone. If the affiant swears to the affidavit by telephone, the affidavit may be signed electron-  
 43 ically. A judge administering an oath telephonically under this subsection must execute a declara-  
 44 tion that recites the manner and time of the oath's administration. The declaration must be filed  
 45 with the return.

1 (b) When a court issues a warrant upon an application made under paragraph (a) of this sub-  
2 section:

3 (A) The court may transmit the signed warrant to the person making application under sub-  
4 section (5) of this section by means of facsimile transmission or similar electronic transmission, as  
5 described in paragraph (a) of this subsection. The court shall file the original signed warrant and  
6 a printed image of the application with the return.

7 (B) The person making application shall deliver the original signed affidavit to the court with  
8 the return. If the affiant swore to the affidavit by telephone, the affiant must so note next to the  
9 affiant's signature on the affidavit.

10  
11 **SERVICE OF PARENTING TIME MOTION**

12  
13 **SECTION 4.** ORS 107.434 is amended to read:

14 107.434. (1) The presiding judge of each judicial district shall establish an expedited parenting  
15 time enforcement procedure that may or may not include a requirement for mediation or partic-  
16 ipation in an alternative dispute resolution conference under ORS 107.103. The procedure must be  
17 easy to understand and initiate. Unless the parties otherwise agree or an alternative dispute resolu-  
18 tion conference under ORS 107.103 is scheduled, the court shall conduct a hearing no later than  
19 45 days after the filing of a motion seeking enforcement of a parenting time order. The court shall  
20 provide forms for:

21 (a) A motion filed by either party alleging a violation of parenting time or substantial violations  
22 of the parenting plan. When a person files this form, the person must include a copy of the order  
23 establishing the parenting time.

24 (b) An order requiring the parties to appear and show cause why parenting time should not be  
25 enforced in a specified manner. The party filing the motion shall serve a copy of the motion and the  
26 order on the other party **in the manner provided by law for service of a summons**. The order  
27 must include:

28 (A) A notice of the remedies imposable under subsection (2) of this section and the availability  
29 of a waiver of any mediation requirement; and

30 (B) A notice in substantially the following form:

31 \_\_\_\_\_  
32  
33 When pleaded and shown in a separate legal action, violation of court orders, including  
34 visitation and parenting time orders, may also result in a finding of contempt, which can lead to  
35 fines, imprisonment or other penalties, including compulsory community service.  
36 \_\_\_\_\_

37  
38 (c) A motion, supported by an affidavit or a declaration under penalty of perjury in the form  
39 required by ORCP 1 E, and an order that may be filed by either party and providing for waiver of  
40 any mediation requirement on a showing of good cause.

41 (2) In addition to any other remedy the court may impose to enforce the provisions of a judg-  
42 ment relating to the parenting plan, the court may:

43 (a) Modify the provisions relating to the parenting plan by:

44 (A) Specifying a detailed parenting time schedule;

45 (B) Imposing additional terms and conditions on the existing parenting time schedule; or

1 (C) Ordering additional parenting time, in the best interests of the child, to compensate for  
2 wrongful deprivation of parenting time;

3 (b) Order the party who is violating the parenting plan provisions to post bond or security;

4 (c) Order either or both parties to attend counseling or educational sessions that focus on the  
5 impact of violation of the parenting plan on children;

6 (d) Award the prevailing party expenses, including, but not limited to, attorney fees, filing fees  
7 and court costs, incurred in enforcing the party's parenting plan;

8 (e) Terminate, suspend or modify spousal support;

9 (f) Terminate, suspend or modify child support as provided in ORS 107.431; or

10 (g) Schedule a hearing for modification of custody as provided in ORS 107.135 (11).

11  
12 **ORCP CITATION CHANGE**

13  
14 **SECTION 5.** ORS 136.600 is amended to read:

15 136.600. The provisions of ORS 44.150 and ORCP 39 B and [55 E and G] **55 A(6)(d) and 55 B(4)**  
16 apply in criminal actions, examinations and proceedings.

17  
18 **ELECTRONIC RECORDS**

19  
20 **SECTION 6.** ORS 7.095 is amended to read:

21 7.095. (1) Where the application of electronic data processing techniques is determined to be  
22 feasible and expedient in maintaining records of the courts of this state, the Chief Justice of the  
23 Supreme Court may authorize records to be kept by use of electronic data processing equipment.  
24 Court records maintained as provided by this section shall contain the information otherwise re-  
25 quired by law for the records of courts in this state. **Notwithstanding ORS 192.311 to 192.478,**  
26 **records shall not be subject to public disclosure until reviewed and accepted by the court.**

27 (2) The State Court Administrator may prescribe standards governing the use of such tech-  
28 niques, the preservation of the records so maintained, and controls to prevent unauthorized access  
29 to records maintained through the use of electronic data processing equipment.

30  
31 **CONTEMPT**

32  
33 **SECTION 7.** ORS 21.135 is amended to read:

34 21.135. (1) Unless a specific fee is provided by subsection (3) **or (4)** of this section or other law  
35 for a proceeding, a circuit court shall collect a filing fee of \$281 when a complaint or other docu-  
36 ment is filed for the purpose of commencing an action or other civil proceeding and when an answer  
37 or other first appearance is filed in the proceeding.

38 (2) Except as provided in subsection [(4)] **(5)** of this section, the filing fee established by sub-  
39 section (1) of this section applies to:

40 (a) Proceedings in which only equitable remedies are sought.

41 (b) Appeals from a conviction of a violation in justice or municipal courts as provided in ORS  
42 21.285.

43 (c) Interpleader actions.

44 (d) Actions relating to a trust.

45 (e) Proceedings for judicial review of an agency order.

1 (f) Declaratory judgment actions.

2 (g) Any other action or proceeding that is statutorily made subject to the fee established by this  
 3 section and any other civil proceeding for which a specific filing fee is not provided.

4 (3)(a) The circuit court shall collect a filing fee of \$263 in adoption cases under ORS chapter  
 5 109, excluding readoptions under ORS 109.385, when a petition is filed for the purpose of commenc-  
 6 ing an adoption proceeding or when any other document or other first appearance is filed in the  
 7 proceeding. The fee shall include the cost of issuing one or more certificates of adoption under ORS  
 8 109.410.

9 (b) When separate petitions for adoption of multiple minor children are concurrently filed under  
 10 ORS 109.276 by the same petitioner, one filing fee shall be charged for the first petition filed and  
 11 the filing fees for concurrently filed petitions shall not be charged.

12 **(4) The circuit court shall collect a filing fee of \$56 for actions seeking remedial sanctions**  
 13 **for contempt of court under ORS 33.055 and when a first appearance is filed in the proceed-**  
 14 **ing.**

15 [(4)] (5) The filing fee established under subsection (1) of this section does not apply to:

16 (a) Expunction proceedings under ORS 419A.262;

17 (b) Petitions under ORS 163A.130 or 163A.135 for an order relieving the person from the duty  
 18 to report as a sex offender if the person is required to report under ORS 163A.025; or

19 (c) Any juvenile delinquency proceeding arising under ORS chapter 419B or 419C.

20 **SECTION 8.** ORS 21.200 is amended to read:

21 21.200. (1) In any action or other proceeding subject to a fee under ORS 21.135, 21.145, 21.160  
 22 or 21.170, a \$111 fee must be paid by the party filing one of the following motions and by the party  
 23 responding to the motion:

24 (a) A motion for summary judgment under ORCP 47.

25 (b) A motion for judgment notwithstanding the verdict under ORCP 63.

26 (c) A motion for new trial under ORCP 64.

27 (d) A motion for relief from judgment under ORCP 71.

28 (e) A motion for preliminary injunction under ORCP 79.

29 [(f) A motion seeking remedies for contempt of court.]

30 (2) The fees provided for in this section may not be collected from the state, a county, a city  
 31 or a school district.

32 (3) The fees provided for in this section may not be collected for motions made to an arbitrator  
 33 or mediator in an arbitration or mediation required or offered by a court, or to any motion relating  
 34 to an arbitration or mediation required or offered by a court.

35 (4) The clerk shall file a motion or response that is subject to a fee under this section only if  
 36 the fee required by this section is paid when the motion or response is submitted for filing.

37 **SECTION 9.** ORS 21.205 is amended to read:

38 21.205. (1) In any action or other proceeding subject to a fee under ORS 21.155, a \$167 fee must  
 39 be paid by the party filing a motion that seeks entry of a supplemental judgment and by a party  
 40 responding to the motion.

41 (2) The fee provided for in subsection (1) of this section does not apply to any motion under  
 42 ORCP 68, 69 or 71.

43 (3) In any action or other proceeding subject to a fee under ORS 21.155, a \$56 fee must be paid  
 44 by the party filing [one of the following motions] **a motion under ORS 107.434** and by a party re-  
 45 sponding to the motion[.].

1        *[(a) A motion filed under ORS 107.434; and]*

2        *[(b) A motion seeking remedies for contempt of court.]*

3        *[(4) Only the fees specified by subsection (1) of this section may be collected if a party concurrently*  
 4 *files a motion that seeks entry of a supplemental judgment and a motion seeking remedies for contempt*  
 5 *of court.]*

6        **SECTION 10.** ORS 33.055 is amended to read:

7        33.055. (1) Except as otherwise provided in ORS 161.685, proceedings to impose remedial sanc-  
 8 tions for contempt shall be conducted as provided in this section.

9        (2) The following persons may initiate the proceeding *[or, with leave of the court, participate in*  
 10 *the proceeding, by filing a motion requesting that]* **by filing an action and may request that the**  
 11 **contempt** defendant be ordered to appear:

12        (a) A party aggrieved by an alleged contempt of court.

13        (b) A district attorney.

14        (c) A city attorney.

15        (d) The Attorney General.

16        (e) Any other person specifically authorized by statute to seek imposition of sanctions for con-  
 17 tempt.

18        (3) If the alleged contempt is related to another proceeding, *[a motion]* **an action** to initiate a  
 19 proceeding to impose remedial sanctions must be filed in accordance with rules adopted under ORS  
 20 33.145.

21        (4) The person initiating a proceeding under this section shall file supporting documentation or  
 22 affidavits sufficient to give **the contempt** defendant notice of the specific acts alleged to constitute  
 23 contempt.

24        (5)(a) **The contempt defendant shall be served with the document initiating the contempt**  
 25 **action in the manner provided in ORCP 7.** The court may issue an order directing the **contempt**  
 26 defendant to appear. Except as otherwise provided in paragraph (b) of this subsection, the **contempt**  
 27 defendant shall be personally served with the order to appear in the manner provided in ORCP 7  
 28 *[and 9]*. **If the contempt defendant is represented by counsel in a proceeding to which the**  
 29 **action for contempt under this section is related, that counsel shall also be served with the**  
 30 **initiating instrument and any order to appear in the manner provided in ORCP 9.** The court  
 31 may order service by a method other than personal service **on the contempt defendant** or issue  
 32 an arrest warrant if, based upon motion and supporting affidavit, the court finds that the **contempt**  
 33 defendant cannot be personally served.

34        (b) The **contempt** defendant shall be served by substituted service if personal service is waived  
 35 under ORS 107.835. If personal service is waived under ORS 107.835, the **contempt** defendant shall  
 36 be served by the method specified in the waiver.

37        (6) The court may impose a remedial sanction only after affording the **contempt** defendant op-  
 38 portunity for a hearing tried to the court. The **contempt** defendant may waive the opportunity for  
 39 a hearing by stipulated order filed with the court.

40        (7) A **contempt** defendant has no right to a jury trial and, except as provided in this section,  
 41 has only those rights accorded to a defendant in a civil action.

42        (8) A **contempt** defendant is entitled to be represented by counsel. A court shall not impose on  
 43 a **contempt** defendant a remedial sanction of confinement unless, before the hearing is held, the  
 44 **contempt** defendant is:

45        (a) Informed that such sanction may be imposed; and



1 (b) Afforded the same right to appointed counsel required in proceedings for the imposition of  
2 an equivalent punitive sanction of confinement.

3 (9) If the **contempt** defendant is not represented by counsel when coming before the court, the  
4 court shall inform the **contempt** defendant of the right to counsel, and of the right to appointed  
5 counsel if the **contempt** defendant is entitled to, and financially eligible for, appointed counsel un-  
6 der subsection (8) of this section.

7 (10) Inability to comply with an order of the court is an affirmative defense.

8 (11) In any proceeding for imposition of a remedial sanction other than confinement, proof of  
9 contempt shall be by clear and convincing evidence. In any proceeding for imposition of a remedial  
10 sanction of confinement, proof of contempt shall be beyond a reasonable doubt.

11 (12) Proceedings under this section are subject to rules adopted under ORS 33.145. Proceedings  
12 under this section are not subject to the Oregon Rules of Civil Procedure except as provided in  
13 subsection (5) of this section or as may be provided in rules adopted under ORS 33.145.

14  
15 **CAPTIONS**

16  
17 **SECTION 11. The unit captions used in this 2023 Act are provided only for the conven-**  
18 **ience of the reader and do not become part of the statutory law of this state or express any**  
19 **legislative intent in the enactment of this 2023 Act.**

20  
21 **OPERATIVE DATES**

22  
23 **SECTION 12. The amendments to ORS 21.345 and 107.434 by sections 1 and 4 of this 2023**  
24 **Act become operative on the 91st day after the date on which the 2023 regular session of the**  
25 **Eighty-second Legislative Assembly adjourns sine die.**

26 **SECTION 13. The amendments to ORS 21.135, 21.200, 21.205 and 33.055 by sections 7 to**  
27 **10 of this 2023 Act become operative on October 1, 2023.**

28  
29 **EMERGENCY CLAUSE**

30  
31 **SECTION 14. This 2023 Act being necessary for the immediate preservation of the public**  
32 **peace, health and safety, an emergency is declared to exist, and this 2023 Act takes effect**  
33 **on its passage.**

34 \_\_\_\_\_