

Minority Report
A-Engrossed
Senate Bill 698

Ordered by the Senate April 14
Including Senate Minority Report Amendments dated April 14

Sponsored by nonconcurring members of the Senate Committee on Judiciary: Senators LINTHICUM, THATCHER

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 Judicial Department to develop and implement automated system that identifies convictions, arrests, citations, charges and judgments of guilty except for insanity that are eligible to be automatically sealed. Directs department to identify eligible records created prior to February 1, 2025, and send list to presiding judge of judicial district where record was created no later than February 15, 2025. Directs department to, beginning March 1, 2025, and every month thereafter, identify eligible records from previous month and send list to presiding judge of judicial district. Directs presiding judge to enter order sealing records within 30 days of receipt of list.]

[Directs Oregon Criminal Justice Commission to, beginning no later than February 1, 2026, and each year thereafter, provide report to interim legislative committees related to judiciary concerning convictions that have been automatically sealed during previous year.]

[Directs court to grant motion to set aside judgment of guilty except for insanity if no objection is received.]

[Requires criminal history data providers to ensure criminal history reports reflect all material changes from previous 30 days.]

Directs Oregon Criminal Justice Commission to study sealing of records, including qualifications and procedures in other states, and to provide results of study to interim committees of Legislative Assembly related to judiciary no later than January 1, 2025. Authorizes commission to hire outside counsel to assist with study and appropriates moneys to commission to carry out study.

Sunsets January 2, 2025.

[Takes effect on 91st day following adjournment sine die.]

A BILL FOR AN ACT

1
2 Relating to the sealing of records.

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

4 **SECTION 1.** (1) **The Oregon Criminal Justice Commission shall study the sealing of re-**
5 **ords of arrests, charges, citations and convictions, including the qualifications and proce-**
6 **dures for the sealing or setting aside of records of arrests, charges, citations and convictions**
7 **in other states. The commission may, if necessary, hire outside counsel to assist with the**
8 **study.**

9 (2) **The commission shall provide the results of the study, including any recommended**
10 **legislative changes, in a report to the interim committees of the Legislative Assembly related**
11 **to the judiciary in the manner provided under ORS 192.245 no later than January 1, 2025.**

12 **SECTION 2.** **In addition to and not in lieu of any other appropriation, there is appropri-**
13 **ated to the Oregon Criminal Justice Commission, for the biennium beginning July 1, 2023,**
14 **out of the General Fund, the amount of \$150,000, for the purposes of carrying out the pro-**
15 **visions of section 1 of this 2023 Act.**

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

SECTION 3. Section 1 of this 2023 Act is repealed on January 2, 2025.

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