



OREGON LAW COMMISSION

MEMORANDUM

DATE: January 10, 2025
TO: Oregon Law Commission
FROM: Amy Zubko, Director, Oregon Law Commission
RE: 2025 Legislative Proposals (LC 156 and LC 266)

BACKGROUND

On December 5, 2024, the Oregon Law Commission (OLC) adopted LC 156 and its corresponding report on the Municipal and Justice Courts Appeals Process. Legislative Concept (LC) 156 was pre-session filed in the House Interim Committee on Judiciary on December 11, 2024 and will be House Bill (HB) 2460 once it is introduced.

At the same meeting, the OLC adopted LC 266 and its corresponding report on the Modernization of Oregon's Limited Liability Company Act. LC 266 was pre-session filed in the Senate Interim Committee on Judiciary on December 11, 2024 and will be Senate Bill (SB) 164 once it is introduced.

HB 2460 – Municipal and Justice Courts Appeals Process (LC 156)

On January 7, 2025, a follow up meeting was held to discuss HB 2460, the report, and feedback received on the bill as pre-session filed. As of January 8, 2025, the chairs have received feedback on Section 5b, Section 14, Section 18b, and copyediting feedback. In addition, the Oregon Judicial Department has indicated they are still reviewing the bill and may have additional feedback.

Section 5b

Kimberly McCullough and Lindsey Detweiller from the Oregon Judicial Department raised a question regarding the fee provisions when cases are transferred from municipal and justice courts to a circuit court in Section 5b. OJD suggested an internal cross reference to Section 10(a) for clarity.

Section 14 (Section 42a)

Jim Nass, Appellate Commissioner (retired), provided feedback on Section 14 which addresses forms of judgement for justice courts and Section 42a which addresses the same issue in municipal courts. This feedback was briefly discussed during the January 7, 2025 meeting and conversations are ongoing.

Section 18b

Melissa Franz, a Prosecutor for the City of Eugene, provided feedback on Section 18b and specifically about the availability of resentencing anew in any case after a plea of guilty or no contest. This feedback was discussed during the January 7, 2025 meeting and while conversation are ongoing, a potential path forward has been identified.

Copyedits

Mr. Nass provided suggested copyedits of LC 156. This information was shared with Commissioners Obold Eshleman and Justice Duncan as well as Legislative Counsel.

SB 164 – Modernization of Oregon’s Limited Liability Company Act (LC 266)

During the December Commission meeting, Valerie Sasaki shared feedback from the Uniform Law Commission on Section 12 of the bill and the request to move the statutory language into the report accompanying the bill. The Commission discussed the statutory language as currently written, the intent of the workgroup, and potential amendments to the language currently in LC 266.

Section 12

Chair Sasaki and Commissioner Hoesly have continued conversations with the ULC and are currently reviewing a proposed modification to Section 12.