

2012 and 2013 Sessions Bill Summary:

Bills Presented by the Oregon Law Commission to the Legislative Assembly

During the 2012 and 2013 Legislative Sessions, the Oregon Law Commission recommended seven bills to the Legislative Assembly. The following is a brief summary of the recommendations:

1. **HB 4035 (2012 Session)** The bill updated secured transactions laws in ORS Chapter 79. The bill was based on recommendations of the Uniform Law Commission (ULC) and American Law Institute (ALI) as a part of a nation-wide U.C.C. update. Chapter 79's last major revision occurred in 2001, and this bill addressed issues that arose in the last ten years.
2. **SB 592** The bill revises the Oregon Uniform Trust Code. The Uniform Trust Code was adopted in Oregon in 2006, and the bill provides a number of changes to the code that will improve and clarify practice. The amendments continue to balance the interests of trust beneficiaries with the need for efficient administration of trusts.
3. **SB 622** The bill defines and clarifies the two types of files containing juvenile court records that are to be maintained by the juvenile court (to be named record of the case and supplemental confidential file). The bill also clarifies and details persons entitled to inspection rights and persons entitled to copy rights of the two files. The bill addresses longstanding problems and is particularly necessary as the juvenile courts transition to an eCourt environment.
4. **SB 623** The bill revises and clarifies requirements for a petition to adopt a minor child, and the bill requires the filing of an Adoption Summary and Segregated Information Statement with the petition. The bill specifies persons authorized to inspect and copy sealed adoption records, providing predictable rules and lifting requirement to get a court order in many circumstances.
5. **HB 2833** The bill enacts the Uniform Unsworn Foreign Declarations Act and thus allows those abroad to provide a statement that is subject to penalty of perjury to be used in Oregon without having to go to a United States embassy to have the statement sworn to a third party.
6. **HB 2834** The bill enacts the Revised Uniform Law on Notarial Acts, updating Oregon's law of notarial acts. The integrity of the notarial act process as well as access to notaries is improved.
7. **HB 2836** The bill establishes standards and procedures for determining fitness of youth to proceed on a delinquency petition. The bill codifies a requirement to suspend delinquency petitions when a youth is unable to aid and assist. The bill requires the Oregon Health Authority to develop guidelines for conducting evaluation of fitness of a youth to proceed and to administer a program to provide restorative services to youths.