

SENATE AMENDMENTS TO SENATE BILL 44

By COMMITTEE ON JUDICIARY

March 5

- 1 On page 1 of the printed bill, line 6, delete “shall retain” and insert “retains”.
- 2 In line 14, after the period insert “Except as provided in subsection (3) of this section,”.
- 3 In line 25, after the period insert “Except as provided in subsection (3) of this section,”.
- 4 After line 27, insert:
- 5 “(3)(a) If the appellant intends to assign error to any part of the corrected or supplemental
- 6 judgment, the appellant must file an amended notice of appeal from the corrected or supplemental
- 7 judgment.
- 8 “(b) If the appellant does not intend to assign error to any part of the corrected or supplemental
- 9 judgment, the appellant need only file a notice of intent to proceed with the appeal. Such notice is
- 10 not jurisdictional.
- 11 “(4) As used in this section, ‘appellant’ means the attorney of record in the appellate court for
- 12 the appellant or, if the appellant is not represented by an attorney, the appellant personally.”.
- 13 On page 2, delete lines 8 through 11 and insert:
- 14 “(4) If the trial court enters a corrected or supplemental judgment under ORS 138.083 or under
- 15 any other statutory provision while an appeal of the judgment of conviction is pending and:
- 16 “(a) A party intends to assign error to any part of the corrected or supplemental judgment, the
- 17 party must file an amended notice of appeal from the corrected or supplemental judgment not later
- 18 than 30 days after the party receives notice that the corrected or supplemental judgment has been
- 19 entered.
- 20 “(b) A party does not intend to assign error to any part of the corrected or supplemental judg-
- 21 ment, the party need only file a notice of intent to proceed with the appeal not later than 30 days
- 22 after the party receives notice that the corrected or supplemental judgment has been entered.”.
- 23 In line 23, delete “date” and insert “party receives”.
- 24 In line 24, delete the boldfaced material.
- 25 In line 25, restore the bracketed material and delete the boldfaced material.
- 26 After line 31, insert:
- 27 “(6) As used in this section, ‘party’ means the attorney of record in the appellate court for the
- 28 party or, if the party is not represented by an attorney, the party personally.”.
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