

## 2009 Legislative Session - RESULTS - OSB Sponsored Bills

Bill #	Relating Clause	Bill Description	Most Recent Action
<b>OSB PUBLIC AFFAIRS COMMITTEE</b>			
<b>BOG Governance Provisions</b>			
SB 244	Relating to Oregon State Bar.	Amends ORS Ch. 9 to reconfigure existing regions, add two new board members to the Board of Governors, and define when an attorney is "practicing law" in Oregon.	Chapter 218, (2009 Laws): Effective date, January 1,2010.
<b>Military Assistance Panel</b>			
HB 2303	Relating to Servicemembers Civil Relief Act; and declaring an emergency.	Creates provisions allowing attorney fees, liquidated damages, and an exemption from arbitration in cases under Servicemember Civil Relief Act.	Chapter 83, (2009 Laws): Effective date May 8,2009.
<b>IOLTA</b>			
SB 687	Relating to lawyer trust accounts; and appropriating money.	Requires unclaimed property in lawyers' trust accounts be remitted to Oregon State Bar for support of legal services programs.	Chapter 462, (2009 Laws): Effective date, January 1, 2010.
<b>OSB SECTIONS</b>			
<b>Business Law</b>			
HB 2304	Relating to corporate mergers.	Changes the required notice period for short form mergers with a subsidiary from 30 to 10 days, conforms to Model Business Corporation Act.	Chapter 355, (2009 Laws): Effective date January 1, 2010.
HB 2305	Relating to shareholder voting.	Amends ORS 60.441(3) to treat classes and series of stock alike when determining voting groups, and to allow articles of incorporation to provide for separate voting groups.	Chapter 13, (2009 Laws): Effective date January 1, 2010.
<b>Consumer Law</b>			
HB 2306	Relating to exemptions from execution; and declaring an emergency.	Increases homestead and vehicle exemptions from execution.	Chapter 612, (2009 Laws): Effective date June 26, 2009.
<b>Criminal Law</b>			
SB 242	Relating to previous convictions.	Codifies existing case law to create a clear procedure that governs the pleading and proof of all previous-conviction elements.	Chapter 180, (2009 Laws): Effective date, January 1, 2010.
SB 243	Relating to criminal procedure.	Corrects an error in 2003 legislation by reinstating a time period after which a motion in arrest of judgment is "deemed denied" if the trial court has not yet ruled upon the motion.	Chapter 112, (2009 Laws): Effective date, January 1,2010.

## 2009 Legislative Session - RESULTS - OSB Sponsored Bills

Bill #	Relating Clause	Bill Description	Most Recent Action
<b>Debtor / Creditor</b>			
SB 239	Relating to notices required for foreclosures of trust deeds; and declaring an emergency.	Changes to HB 3630, mortgage lending bill, passed in 2008 Session. Amends ORS 86.750(3) to require that a trustee foreclosing a residential trust deed record affidavits of mailing and service of the notice required, and to provide a bar date for the grantor to raise the issue that they did not receive notice.	Chapter 229, (2009 Laws): Effective date, June 4, 2009.
SB 240	Relating to personal information about debtors; and declaring an emergency,	Amends ORS Ch. 18 to provide that information provided on Judgments and Writs of Garnishment forms be truncated to omit full SSN.	Chapter 230, (2009 Laws): Effective date, June 4, 2009.
SB 241	Relating to actions for possession of property; and declaring an emergency,	Clarifies the procedure used to enforce a purchaser's right to possession of property purchased at a foreclosure or execution sale, and that the F.E.D. statutes are available in such situations.	Chapter 638, (2009 Laws): Effective date, June 30, 2009.
HB 2307	Relating to collection agencies.	Excludes outright debt buyers from ORS Ch. 697, which regulates collection agencies.	Chapter 134, (2009 Laws): Effective date January 1, 2010.
<b>Elder Law</b>			
SB 370	Relating to limited judgments.	Clarifies that courts have authority to enter a judgment, not just an order, on the award of costs and attorney fees in probate proceedings.	Chapter 50, (2009 Laws): Effective date, January 1, 2010.
<b>Estate Planning</b>			
SB 235	Relating to small estates.	Increases the small estate limits under the probate code: personal property increased from \$50,000 to \$75,000, and real property from \$150,000 to \$200,000.	Chapter 413, (2009 Laws): Effective date, January 1, 2010.
SB 236	Relating to estates.	Regulates fees charged by heir search firms.	In committee upon adjournment. DEAD
SB 237	Relating to powers of attorney.	Amends ORS 127.007 and 127.015 to authorize springing powers of attorney.	Chapter 46, (2009 Laws): Effective date, January 1, 2010.
SB 238	Relating to protective proceedings.	Implements the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.	Chapter 179, (2009 Laws): Effective date, January 1, 2010.
SB 371	Relating to trusts.	Makes technical corrections to the Uniform Trust Code.	Chapter 275, (2009 Laws): Effective date, January 1, 2010.
HB 2308	Relating to discharge of estate fiduciary from personal liability for inheritance tax; and prescribing an effective date.	Allows a trustee, personal representative, or executor to apply to the Oregon Department of Revenue for a determination of inheritance tax and discharge from tax liability.	Chapter 358, (2009 Laws): Effective date September 28, 2009.
HB 2309	Relating to protective proceedings.	Allows conservatorships to be extended from current age of 18 to 21.	In committee upon adjournment. DEAD
HB 2357	Relating to disclaimers.	Clarifies application of the disclaimer statute in cases of intestate succession.	Chapter 17, (2009 Laws): Effective date January 1, 2010.
<b>Family Law</b>			

## 2009 Legislative Session - RESULTS - OSB Sponsored Bills

Bill #	Relating Clause	Bill Description	Most Recent Action
HB 2310	Relating to modification of protective order under Family Abuse Prevention Act.	Allows modification of family abuse restraining orders (FAPA) orders.	Chapter 211, (2009 Laws): Effective date January 1, 2010.
HB 2311	Relating to service of legal documents.	Adds language to stalking and Family Abuse Prevention Act (FAPA). Statutes clarifying that legal service of process, not done for purpose of harassment, is not a violation of court orders.	Chapter 359, (2009 Laws): Effective date January 1, 2010.
<b>Indian Law</b>			
HB 2312	Relating to recognition of business entities formed by tribal governments; and declaring an emergency.	Brings uniformity to treatment of corporations and other entities established by American Indian Tribal Government in the Oregon statutes.	Chapter 14, (2009 Laws): Effective date March 12, 2009.
<b>Procedure and Practice</b>			
SB 266	Relating to the commencement of actions.	Amends ORS 12.020 action commenced upon filing complaints.	In committee upon adjournment. DEAD
<b>Real Estate and Land Use</b>			
SB 234	Relating to procedure for judicial review of land use decisions.	Makes service requirements on LUBA consistent with other appeals.	Chapter 25, (2009 Laws): Effective date, January 1, 2010.
SB 372	Relating to qualification of resource land for inclusion in urban growth boundary.	Clarifies ORS 197.298(1) to allow local governments to bring higher quality farmland and forestland into UGB only when lands of lower quality are not sufficient.	In committee upon adjournment. DEAD
HB 2313	Relating to definitions of legal entities.	Clarifies language describing a "trust or estate" in Oregon statutes.	Chapter 294, (2009 Laws): Effective date January 1, 2010.
HB 2418	Relating to persons exempt from real estate licensing law.	Clarifies parties who may act without a real estate license in selling their property.	Chapter 136, (2009 Laws): Effective date January 1, 2010.