

2013 Legislative Session - RESULTS - OSB Sponsored Bills

Bill #	Relating Clause	Bill Description	Most Recent Action
OSB PUBLIC AFFAIRS COMMITTEE			
Board of Governors			
HB 2565	Relating to attorneys; and declaring an emergency.	Permits an individual appointed as a custodian of a non-performing law practice to have priority in payment for compensation and expenses where assets are insufficient to meet all obligations; allows state bar to send compliance notices to members by e-mail.	Chapter 3, (2013 Laws): Effective date March 11, 2013.
HB 2573	Relating to the unlawful practice of law as an unlawful trade practice.	Amends the Unlawful Trade Practices Act to make acting as an immigration consultant an unlawful practice, unless the person is a member of the Oregon State Bar, or otherwise authorized by federal law.	Chapter 77, (2013 Laws): Effective date January 1, 2014.
HB 3350	Relating to a tax credit for contributions that fund provision of legal services to low income individuals.	Creates income or corporate excise tax credit for contributions to organization that provides funding for Legal Services Program.	In committee upon adjournment. DEAD
Lawyers for Veterans			
SB 124	Relating to servicemembers; declaring an emergency.	Directs the court at sentencing to consider evidence received during a criminal proceeding regarding the defendant's status as a servicemember in determining aggravation or mitigation.	Chapter 331, (2013 Laws): Effective June 6, 2013.
SB 125	Relating to contested case hearings.	Amends ORS 183.413 to require notice of administrative hearings to include a statement that the Servicemembers Civil Relief Act applies to such proceedings and affords active duty servicemembers the right to defer such hearings.	Chapter 295, (2013 Laws): Effective September 1, 2013.
Oregon Law Foundation			
HB 2608	Relating to escrow accounts.	Requires that escrow trust accounts held by title companies be set up similarly to lawyers' IOLTA accounts, with interest going partially to funding legal services.	Interim Work Group.
OSB SECTIONS			
Administrative Law			
SB 52	Relating to final orders.	Requires state agencies to maintain final orders (as defined in ORS Chapter 183) in a digital format. This requirement is being proposed in order to facilitate the inclusion of agency final orders in online electronic databases such as Fastcase.	Chapter 156, (2013 Laws): Effective January 1, 2014.
Animal Law			
SB 53	Relating to community caretaking functions; declaring an emergency.	Clarifies that police community caretaking functions includes the right to enter the premises of another if necessary to prevent serious harm to property, specifically defined to include animals.	In committee upon adjournment. DEAD
Business Law			
HB 2566	Relating to equity compensation awards.	Provides express authority for boards of directors to delegate to corporate officers the authority to grant equity awards to corporate employees. Current law is clear that boards may do this directly, but it is unclear as to whether they may delegate the authority to officers. Amends ORS 60.157.	Chapter 201, (2013 Laws): Effective January 1, 2014.
HB 2567	Relating to shareholder's meetings conducted by remote communication.	Clarify existing law to make clear that it is permissible to hold shareholder meetings over a webcast or other electronic communications medium without the need for the meeting to be based in a physical location.	Chapter 274, (2013 Laws): Effective January 1, 2014.

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	Debtor-Creditor Section		
HB 2568	Relating to requirements for amended notice of sale following stay of foreclosure.	Clearly define the duties of a trustee in a trust deed foreclosure when an initial sale has been lawfully stayed and the stay is then lifted. Amends ORS 86.755	Chapter 76, (2013 Laws): Effective January 1, 2014.
HB 2569	Relating to conditions for certain trustee's signatures on trust deed documents.	Allow another attorney in the trustee attorney's firm to act on behalf of the trustee when the trustee is unavailable to act as trustee. Under current law, matters that must be undertaken by the trustee must wait until the trustee is available, or a new trustee is appointed. Amends ORS 86.790.	Chapter 125, (2013 Laws): Effective January 1, 2014.
	Elder Law		
HB 2570	Relating to compensation in protective proceedings.	Makes clarifications to the rules regarding attorney's fees and costs in protective proceedings cases. Amends ORS 125.095.	Chapter 99, (2013 Laws): Effective January 1, 2014.
	Estate Planning		
SB 54	Relating to digital property.	Defines "digital accounts" and "digital assets" for the purpose of administering estates and trusts. Requires the custodian of digital accounts and digital assets to transfer, deliver or provide access to accounts or electronic copies of assets to a personal representative, conservator or settler upon written request.	In committee upon adjournment. DEAD
	Family Law		
HB 2571	Relating to domestic relations proceedings.	Makes several changes to ORS Chapter 107 and 109 in order to clarify several ambiguities and errors. The issues covered include taxability of spousal support, applicability of statutory restraining orders, the proper location to file filiation proceedings, and the elimination of the term "suit" in certain contexts.	Chapter 126, (2013 Laws): Effective January 1, 2014.
HB 2572	Relating to life insurance in domestic relations proceedings.	Provides for the award of attorneys fees in certain cases involving court ordered life insurance policies.	Chapter 127, (2013 Laws): Effective January 1, 2014.
	Uniform Criminal Jury Instructions		
SB 55	Relating to jury instructions.	Corrects longstanding provisions in the current Uniform Jury Instructions which is in conflict with an Oregon Supreme Court decision in <i>Ireland v. Mitchell</i> , 226 Or 286, 290, 359 P2d 894 (1961). The statute requires that a judge inform jurors that they must distrust a witness that is false in one part of their testimony, whereas the court has ruled that jurors may distrust such a witness, but are not obligated to do so. Common practice is to abide by the Supreme Court's ruling. Amends ORS 10.095.	Chapter 25, (2013 Laws): Effective January 1, 2014.