

A-Engrossed
House Bill 2312

Ordered by the House April 7
Including House Amendments dated April 7

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Eliminates requirement] **Extends time** that motion requesting performance of DNA testing **must** be filed *[by certain date]*.

A BILL FOR AN ACT

1
2 Relating to DNA testing; amending section 1, chapter 697, Oregon Laws 2001; and repealing section
3 5, chapter 697, Oregon Laws 2001.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 1, chapter 697, Oregon Laws 2001, is amended to read:

6 **Sec. 1.** (1) A person may file in the circuit court in which the judgment of conviction was en-
7 tered a motion requesting the performance of DNA (deoxyribonucleic acid) testing on specific evi-
8 dence if the person:

9 (a) Is incarcerated in a Department of Corrections institution as the result of a conviction for
10 aggravated murder or a person felony as defined in the rules of the Oregon Criminal Justice Com-
11 mission; or

12 (b) Is not in custody but has been convicted of aggravated murder, murder or a sex crime as
13 defined in ORS 181.594.

14 (2) A motion requesting the performance of DNA testing under this section must be filed in the
15 circuit court no later than 48 months after *[the effective date of this 2001 Act]* **January 1, 2006.**

16 **SECTION 2.** **Section 5, chapter 697, Oregon Laws 2001, is repealed.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.