

REVENUE: No revenue impact  
FISCAL: Fiscal statement issued

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| <b>Action:</b>        | Do Pass as Amended and Be Printed Engrossed                          |
| <b>Vote:</b>          | 8 - 0 - 1  |
| <b>Yeas:</b>          | Bonamici, Cameron, Flores, Komp, Krieger, Read, Whisnant, Macpherson |
| <b>Nays:</b>          | 0  |
| <b>Exc.:</b>          | Barker   |
| <b>Prepared By:</b>   | Ellen Osoinach, Counsel  |
| <b>Meeting Dates:</b> | 4/3, 4/27  |

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**WHAT THE MEASURE DOES:** Creates the Task Force on Mental Retardation in Capital Cases.

**ISSUES DISCUSSED:**

- Examples of legislation from other states

**EFFECT OF COMMITTEE AMENDMENT:** Replaces measure.

**BACKGROUND:** In 2002, the U.S. Supreme Court held that the execution of persons with mental retardation violates the Eighth Amendment's ban on cruel and unusual punishment. The Court specifically delegated to the states the task of developing ways to enforce this constitutional restriction.

HB 3336 A makes legislative findings related to the Supreme Court's decision and creates a task force to produce a report with recommendations for legislation in this area. The Task Force has four members appointed by the Governor. The members represent prosecutors, defense attorneys, a representative from the Oregon Advocacy Center, and the Department of Justice.