

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	4 - 0 - 1
Yeas:	Beyer, Kruse, Walker, Burdick
Nays:	0
Exc.:	Prozanski
Prepared By:	Darian Stanford, Counsel
Meeting Dates:	1/16, 3/05

WHAT THE MEASURE DOES: Modifies ORS 137.106 and ORS 419C.450 to define “appropriate supervising authority” relating to restitution obligations for adult or juvenile offenders as “any state or local agency that is authorized to supervise the defendant.” Allows such supervising authority to modify prior restitution payment schedules set by the court.

ISSUES DISCUSSED:

- Whether language of amendment is grammatically correct

EFFECT OF COMMITTEE AMENDMENT: Specifies that “supervising authority” is authorized to modify payment schedules but *not* to collect payments.

BACKGROUND: If a defendant is found guilty of a crime, a court may order that the defendant financially compensate any victim(s) of the crime. Restitution is the present mechanism to compensate a crime victim’s economic losses. ORS 137.106(4) allows the court to establish a restitution payment schedule for an adult criminal defendant or to delegate this responsibility to an “appropriate supervising authority.” ORS 419C.450 provides the same authority in regard to juvenile offenders.

Presently, the term “appropriate supervising authority” is undefined by either chapter. This omission has created some confusion over who specifically may create or modify a defendant’s payment plan. SB 131 addresses this confusion by defining “appropriate supervising authority” as “any state or local agency that is authorized to supervise the defendant.”