

**75<sup>th</sup> OREGON LEGISLATIVE ASSEMBLY – 2009 Regular Session  
BUDGET REPORT AND MEASURE SUMMARY**

**MEASURE: HB 2476-A**

**JOINT COMMITTEE ON WAYS AND MEANS**

**Carrier – House: Rep. Garrard  
Carrier – Senate: Sen. Winters**

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**Action:** Do Pass as Amended and Be Printed A-Engrossed

**Vote:** 22 – 0 – 0

House – Yeas: Buckley, C. Edwards, D. Edwards, Galizio, Garrard, Gilman, Jenson, Kotek, Nathanson, Richardson, Shields, G. Smith  
– Nays:  
– Exc:  
Senate – Yeas: Bates, Carter, Girod, Johnson, Monroe, Nelson, Verger, Walker, Whitsett, Winters  
– Nays:  
– Exc:

**Prepared By:** Linda Gilbert, Department of Administrative Services

**Reviewed By:** Doug Wilson, Legislative Fiscal Office

**Meeting Date:** June 25, 2009

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| <u>Agency</u>                      | <u>Budget Page</u> | <u>LFO Analysis Page</u> | <u>Biennium</u> |
|------------------------------------|--------------------|--------------------------|-----------------|
| Oregon Judicial Department         | K-3                | 496                      | 2009-11         |
| Public Defense Services Commission | K-6                | 512                      | 2009-11         |
| Department of Corrections          | D-4                | 113                      | 2009-11         |

**Budget Summary \***

|                                                  | 2007-09 Legislatively<br>Approved Budget (1) |          | 2009-11 Essential Budget<br>Level |          | 2009-11 Committee<br>Recommendations |                | Committee Change From 2007-09<br>Leg. Approved |                |               |
|--------------------------------------------------|----------------------------------------------|----------|-----------------------------------|----------|--------------------------------------|----------------|------------------------------------------------|----------------|---------------|
|                                                  |                                              |          |                                   |          |                                      |                | \$\$ Change                                    | % Change       |               |
| <b><u>Department of Corrections</u></b>          |                                              |          |                                   |          |                                      |                |                                                |                |               |
| General Fund                                     | \$                                           | 0        | \$                                | 0        | \$                                   | 117,649        | \$                                             | 117,649        | 100.0%        |
| <b><u>Oregon Judicial Department</u></b>         |                                              |          |                                   |          |                                      |                |                                                |                |               |
| General Fund                                     | \$                                           | 0        | \$                                | 0        | \$                                   | 12,900         | \$                                             | 12,900         | 100.0%        |
| <b><u>Public Defense Services Commission</u></b> |                                              |          |                                   |          |                                      |                |                                                |                |               |
| General Fund                                     | \$                                           | 0        | \$                                | 0        | \$                                   | 6,262          | \$                                             | 6,262          | 100.0%        |
| <b>General Fund Total</b>                        | <b>\$</b>                                    | <b>0</b> | <b>\$</b>                         | <b>0</b> | <b>\$</b>                            | <b>136,811</b> | <b>\$</b>                                      | <b>136,811</b> | <b>100.0%</b> |

\* Excludes Capital Construction  
(1) Through December, 2008

**Summary of Capital Construction and Information Technology Subcommittee Action**

This bill provides a sentencing enhancement in the case of sexual abuse in the second degree when the offender is over 21 years of age and is, or has been, the coach of the victim. The bill also designates sexual abuse in the second degree a Class C felony with a crime seriousness level of 8, when committed under these circumstances.

The Department of Corrections estimates the need for an additional two prison beds in 2009-11. The Subcommittee appropriated \$86,988 General Fund for this cost. An increase of \$30,661 General Fund was also appropriated for the anticipated increase in community corrections costs.

The Subcommittee appropriated \$12,900 to the Oregon Judicial Department to cover the impact of the increased court costs of this change. In addition, \$6,262 of General Fund was appropriated to the Public Defense Services Commission for the defense counsel costs.