

2009 Regular Legislative Session
FISCAL ANALYSIS OF PROPOSED LEGISLATION
Prepared by the Oregon Legislative Fiscal Office

MEASURE NUMBER: HB 2335

STATUS: B Engrossed

SUBJECT: Relates to prison sentencing.

GOVERNMENT UNIT AFFECTED: Department of Corrections, Oregon Judicial Department, Board of Parole and Post-Prison Supervision, Oregon Criminal Justice Commission and Public Defense Services Commission

PREPARED BY: Tim Walker

REVIEWED BY: Doug Wilson and John Borden

DATE: June 2, 2009

| | <u>2009-2011</u> | <u>2011-2013</u> |
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| EXPENDITURES: See Analysis. | | |

EFFECTIVE DATE: On Passage.

LOCAL GOVERNMENT MANDATE: This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

ANALYSIS: This bill would set a presumptive sentence of 18 months probation for certain repeat property offenders, place them in intensive supervision, and subject them to a sentence of up to 24 months in prison if they violate parole; allows the Board of Parole and Post-Prison Supervision to hold parole hearings in other than two year increments under certain circumstances; reduces the penalty for possession of a controlled substance under certain circumstances; phases in the implementation of Measure 57; increases earned-time from 20% to 30%; allows the court to impose a less than mandatory minimum sentence for certain crimes under certain circumstances; provides for early release for certain non-violent offenders under certain circumstance and sets forth a resentencing process; directs the Criminal Justice Commission to study the effects of these provisions on crime; and provides for various sunset dates for various provisions.

This bill is expected to provide substantial savings within the Department of Corrections and Community Corrections and will be part of the overall discussion of the Department's budget. In addition, there may be additional fiscal impacts to other agencies and the net fiscal impact of the bill will be determined later. This fiscal impact statement is for the purpose of transmitting the measure from Senate Judiciary Committee to the Senate Rules Committee. A more complete fiscal analysis on the bill will be prepared as the measure is considered in the Senate Rules Committee. The budgetary impacts of this bill will be considered in the various budget bills.