

Enrolled
House Bill 2321

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

CHAPTER

AN ACT

Relating to Department of Corrections; creating new provisions; and amending ORS 137.131.

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

SECTION 1. ORS 137.131 is amended to read:

137.131. (1) The court shall impose community service as a condition of a probation sentence when a person is convicted of criminal mischief and the conduct engaged in consists of defacing property by creating graffiti unless the sentence includes incarceration in a county jail or a state correctional institution.

(2) The community service must include removing graffiti, either those that the defendant created or those created by another, or both.

[(3) If the defendant does not consent to donate labor as required by ORS 137.128, the period of community service must be served under the supervision and control of the Department of Corrections.]

SECTION 2. The amendments to ORS 137.131 by section 1 of this 2009 Act apply to sentences imposed on or after the effective date of this 2009 Act.

Passed by House February 3, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate February 25, 2009

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President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State