

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)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Removes requirement that certain offenders complete community service under supervision of Department of Corrections.

A BILL FOR AN ACT

1
2 Relating to Department of Corrections; creating new provisions; and amending ORS 137.131.

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

4 **SECTION 1.** ORS 137.131 is amended to read:

5 137.131. (1) The court shall impose community service as a condition of a probation sentence
6 when a person is convicted of criminal mischief and the conduct engaged in consists of defacing
7 property by creating graffiti unless the sentence includes incarceration in a county jail or a state
8 correctional institution.

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

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

14 **SECTION 2.** The amendments to ORS 137.131 by section 1 of this 2009 Act apply to sen-
15 tences imposed on or after the effective date of this 2009 Act.
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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.