

# House Bill 2678

Sponsored by Representative SHIELDS; Representative GREENLICK

## 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**.

Reduces sentences of persons committed to custody of Department of Corrections by one percent. Requires that costs saved by department as result of reduced sentences be expended by Oregon Criminal Justice Commission to reduce crime.

## A BILL FOR AN ACT

1  
2 Relating to crime; creating new provisions; amending ORS 184.351; and providing for criminal sen-  
3 tence reduction that requires approval by a two-thirds majority.

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

5 **SECTION 1. (1) Notwithstanding any other provision of law, every person who is sen-**  
6 **tenced to the legal and physical custody of the Department of Corrections after the effective**  
7 **date of this 2009 Act shall have the person's term of incarceration reduced by one percent.**

8 **(2) The reduction in the term of incarceration described in subsection (1) of this section**  
9 **shall be calculated prior to any other reductions authorized by law.**

10 **(3) The Oregon Criminal Justice Commission shall adopt rules to carry out the provisions**  
11 **of this section.**

12 **(4) This section does not apply to a person who has been sentenced to death or life**  
13 **imprisonment without the possibility of release or parole as described in ORS 163.105 (1)(b).**

14 **SECTION 2. ORS 184.351 is amended to read:**

15 184.351. (1) The Oregon Department of Administrative Services shall issue state corrections  
16 population forecasts including, but not limited to, expected populations of prisons and jails and  
17 community corrections caseloads, to be used by:

18 (a) The Department of Corrections in preparing budget requests;

19 (b) The Oregon Criminal Justice Commission in considering amendments to sentencing guide-  
20 lines; and

21 (c) Any other state agency concerned with the effect of offender populations or policy develop-  
22 ments on budgeting.

23 (2) The Oregon Department of Administrative Services shall issue state corrections population  
24 forecasts on April 1 and October 1 of each year.

25 **(3)(a) Each year, the Oregon Department of Administrative Services, in consultation with**  
26 **the Department of Corrections and the Oregon Criminal Justice Commission, shall determine**  
27 **the costs saved by the reduction in the terms of incarceration provided for in section 1 of**  
28 **this 2009 Act. By October 1 of each year, the Oregon Department of Administrative Services**  
29 **shall issue a report describing the costs saved.**

30 **(b) As used in this subsection, "costs saved" means those costs that, absent the re-**  
31 **duction in the term of incarceration described in section 1 of this 2009 Act, the Department**

**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.

1 of Corrections would have incurred in the preceding fiscal year.

2 **SECTION 3.** (1) Within 30 days of receipt of the report described in ORS 184.351 (3), the  
3 Department of Corrections shall transfer an amount of moneys equal to the amount of costs  
4 saved under section 1 of this 2009 Act, as described in the report, to the Oregon Criminal  
5 Justice Commission Account established under ORS 137.662.

6 (2) The moneys transferred under subsection (1) of this section shall be expended by the  
7 Oregon Criminal Justice Commission solely for the purposes of developing and executing  
8 policies that reduce crime and delinquency.

9 (3) The Oregon Criminal Justice Commission shall consult with the Criminal Justice Re-  
10 search and Policy Institute within the Mark O. Hatfield School of Government in carrying  
11 out the purposes described in subsection (2) of this section.

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