

**B-Engrossed**  
**House Bill 2682**

Ordered by the House May 21  
Including House Amendments dated May 6 and May 21

Sponsored by 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.

Directs joint legislative interim committee on judiciary [*to conduct study of feasibility and advisability of instituting*] or other appropriate interim committee to take testimony on feasibility and advisability of reinstating system of commercial surety bail. [*Directs*] Authorizes committee to make recommendations to next regular or special session of Legislative Assembly.

Declares emergency, effective July 1, 2009.

**A BILL FOR AN ACT**

Relating to commercial security release; and declaring an emergency.

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

**SECTION 1. (1) The joint interim committee on the judiciary or other appropriate interim committee shall take testimony on the feasibility and advisability of reinstating a system of commercial surety bail in the State of Oregon. The committee may solicit testimony on:**

**(a) The cost of the existing system of pretrial release in Oregon compared to the probable cost of a pretrial release system that relies on commercial surety bail, based on national statistics.**

**(b) The failure-to-appear rate of the current pretrial release system compared to the probable failure-to-appear rate of a pretrial release system that relies on commercial surety bail, based on national statistics.**

**(c) The impact on public safety of the operation of the current pretrial release system compared to the probable impact on public safety of the operation of a pretrial release system that relies on commercial surety bail, based on national statistics.**

**(d) The probable impact on jail populations of instituting a pretrial release system that relies on commercial surety bail, based on national statistics.**

**(e) The probable impact on the court system of instituting a pretrial release system that relies on commercial surety bail, based on national statistics.**

**(f) The probable impact on forfeiture collections of instituting a pretrial release system that relies on commercial surety bail, based on national statistics.**

**(2) Based on the testimony, the committee may make recommendations to the next regular or special session of the Legislative Assembly.**

**(3) The committee shall invite participation in the study by:**

**(a) The Oregon State Sheriffs' Association.**

**(b) The Oregon District Attorneys Association.**

**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       **(c) The Department of Consumer and Business Services.**
- 2       **(d) The Department of Public Safety Standards and Training.**
- 3       **(e) The Judicial Department.**
- 4       **(f) The Department of Justice.**
- 5       **(g) Criminal defense attorneys.**
- 6       **(h) Crime victims' rights organizations.**
- 7       **(i) Representatives of the commercial surety bail industry, including sureties and retail-**
- 8 **ers.**

9       **SECTION 2.** **This 2009 Act being necessary for the immediate preservation of the public**  
10 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
11 **July 1, 2009.**

12