

House Bill 3481

Sponsored by Representative THOMPSON

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**.

Requires court to impose mandatory minimum sentence on person convicted for felony if person has two previous felony convictions.

A BILL FOR AN ACT

1
2 Relating to criminal sentencing.

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

4 **SECTION 1. (1)(a) When a court sentences a person for a felony, the court shall impose,**
5 **and the person shall serve, at least the entire term of imprisonment described in subsection**
6 **(2) of this section if the person has two previous convictions for a felony. The court may**
7 **impose a greater sentence if otherwise permitted by law, but may not impose a lower sen-**
8 **tence than the sentence specified in subsection (2) of this section.**

9 **(b) A person sentenced under this section is not, during the service of the term of**
10 **imprisonment, eligible for release on post-prison supervision or any form of temporary leave**
11 **from custody. The person is not eligible for any reduction in, or based on, the minimum**
12 **sentence under ORS 421.121 or any other statute.**

13 **(2) The felony classifications to which subsection (1) of this section applies and the ap-**
14 **plicable mandatory minimum sentences are:**

15 **(a) Twelve years for a Class A felony.**

16 **(b) Six years for a Class B felony.**

17 **(c) Three years for a Class C felony.**

18 **(3) As used in this section:**

19 **(a) "Conviction" includes a conviction in another jurisdiction for a crime that if com-**
20 **mitted in this state would constitute a felony.**

21 **(b) "Previous conviction" means a conviction that was entered prior to imposing sentence**
22 **on the current crime of conviction provided that the prior conviction is based on a crime**
23 **committed in a separate criminal episode as that term is defined in ORS 131.505.**

24 **SECTION 2. Section 1 of this 2009 Act applies to persons sentenced for a crime commit-**
25 **ted on or after January 1, 2011, whose previous convictions occurred before, on or after**
26 **January 1, 2011.**

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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.