

HOUSE AMENDMENTS TO RESOLVE CONFLICTS TO HOUSE BILL 3508

By JOINT COMMITTEE ON WAYS AND MEANS

June 18

1 On page 19 of the printed bill, line 10, after “earned” delete the rest of the line and line 11 and
2 insert “under this section may not exceed 20 percent of the total”.

3 On page 22, delete lines 36 through 45.

4 On page 23, delete lines 1 through 16 and insert:

5 “**SECTION 19.** ORS 421.121, as amended by section 17 of this 2009 Act, is amended to read:

6 “421.121. (1) Except as provided in ORS 137.635, each inmate sentenced to the custody of the
7 Department of Corrections for felonies committed on or after November 1, 1989, is eligible for a
8 reduction in the term of incarceration for appropriate institutional behavior, as defined by rule of
9 the Department of Corrections, and for participation in the adult basic skills development program
10 described in ORS 421.084.

11 “(2)[(a)] The maximum amount of time credits earned for appropriate institutional behavior or
12 for participation in the adult basic skills development program described in ORS 421.084 may not
13 exceed [30] **20** percent of the total term of incarceration in a Department of Corrections institution.

14 “[*(b) Notwithstanding paragraph (a) of this subsection, the maximum amount of time credits earned*
15 *under this section may not exceed 20 percent of the total term of incarceration in a Department of*
16 *Corrections institution if the sentence is for conviction of:*]

17 “[*(A) Rape in the third degree under ORS 163.355;*]

18 “[*(B) Sodomy in the third degree under ORS 163.385;*]

19 “[*(C) Sexual abuse in the second degree under ORS 163.425;*]

20 “[*(D) Criminally negligent homicide under ORS 163.145;*]

21 “[*(E) Assault in the third degree under ORS 163.165;*]

22 “[*(F) Assault in the fourth degree under ORS 163.160 (3);*]

23 “[*(G) A crime listed in ORS 137.700; or*]

24 “[*(H) An attempt to commit a crime described in subparagraphs (A) to (G) of this paragraph.*]

25 “(3) The time credits may not be used to shorten the term of actual prison confinement to less
26 than six months.

27 “(4) The department shall adopt rules pursuant to the rulemaking provisions of ORS chapter 183
28 to establish a process for granting, retracting and restoring the time credits earned by the offender
29 as allowed in subsections (1) to (3) of this section.”.

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