

**A-Engrossed**  
**Senate Bill 106**

Ordered by the Senate March 3  
Including Senate Amendments dated March 3

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Theodore R. Kulongoski for Oregon Youth Authority)

**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.

Allows Oregon Youth Authority to [*contract with*] **award funds under competitive process to federally recognized Indian tribes in Oregon to [*provide gang intervention services*] **reduce juvenile delinquency and protect public.****

**A BILL FOR AN ACT**

Relating to Oregon Youth Authority; amending ORS 420A.040.

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

**SECTION 1.** ORS 420A.040 is amended to read:

420A.040. (1) An agency that provides juvenile corrections programs may enter into an agreement with a tribe for the purposes of placing a tribal youth offender into a state youth correction facility or program. The tribe shall pay the agency reasonable expenses associated with the incarceration and treatment of the youth offender.

**(2)(a) Except as provided in paragraph (b) of this subsection, the Oregon Youth Authority may receive applications from, and award funds under a competitive process to, tribes for the administration and provision of services to tribal youth. The services eligible for funding under this subsection must be intended to protect the public and reduce juvenile delinquency.**

**(b) Tribes are not eligible for diversion funds under ORS 420.017.**

**(c) As used in this subsection, "tribal youth" means a member of a tribe who is:**

**(A) A youth as defined in ORS 419A.004; or**

**(B) A person under 18 years of age who:**

**(i) Has more than one of the risk factors identified in ORS 417.855 (2)(a); or**

**(ii) Is demonstrating at-risk behaviors that will lead to imminent or increased involvement in the juvenile justice system.**

**(3) As used in this section, "tribe" means a [*tribe located in Oregon that is recognized by the United States Secretary of the Interior*] **federally recognized Indian tribe in Oregon.****

**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.