

Joint Committee on Ways and Means

Carrier – House: Rep. Buckley
Carrier – Senate: Sen. Courtney

Revenue: No revenue impact

Fiscal: Fiscal statement issued

Action: Do Pass the B-Engrossed Measure

Vote: 15 – 7 – 2

House

Yeas: Barker, Buckley, Cowan, Edwards, Komp, Kotek, Nathanson, G. Smith

Nays: Garrard, Gilman, Jenson, Richardson

Exc:

Senate

Yeas: Bates, Courtney, Johnson, Monroe, Nelson, Shields, Verger

Nays: Girod, Kruse, Whitsett

Exc: Edwards, Winters

Prepared By: Tim Walker, Legislative Fiscal Office

Meeting Date: February 10, 2010

WHAT THE MEASURE DOES: Eliminates the additional 10% earned time upon passage. Reinstates an additional 10% earned time for nonperson felonies on July 1, 2011. Sunsets this provision on July 1, 2013. Excludes from the additional 10% earned time those before the court who have a past conviction for a person felony if the sentence, probation, or post-prison supervision has ended less than five years prior to the current criminal charge. Excludes person felonies regardless of past criminal history. Defines person felony as defined in the rules of the Oregon Criminal Justice Commission. Includes additional crimes in the exclusion list. Stops all re-hearings for the additional 10% upon passage unless a court has entered a supplemental judgment or the court has ordered in open court that the Department of Justice may consider the inmate for an additional 10% earned time. Requires the Secretary of State to conduct an audit of earned time.

ISSUES DISCUSSED:

- Effects of HB 3508
- Process of developing SB 1007

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: The 2009 Legislative Assembly enacted HB 3508 that delayed many of the provisions of Measure 57. Section 17 of HB 3508 increased by 10% earned time for those offenses that were already eligible for 20% earned time.