

House Bill 2369

Sponsored by Representative NATHANSON; Representatives BARKER, DEMBROW, MATTHEWS (Presession filed.)

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**.

Authorizes local government to enter into agreement with Department of Corrections for purpose of housing inmates in custody of local government.

A BILL FOR AN ACT

Relating to the Department of Corrections; amending ORS 169.053.

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

SECTION 1. ORS 169.053 is amended to read:

169.053. (1) A county may enter into an agreement with one or more other counties of this state under ORS 190.010 for the confinement and detention of offenders subject to the legal and physical custody of the county. The agreement may provide for the reception, detention, care and maintenance, and work assignment of:

(a) Pretrial detainees;

(b) Offenders convicted of a misdemeanor; and

(c) Offenders convicted of a felony who are:

(A) Sentenced, on or after January 1, 1997, to 12 months or less incarceration; or

(B) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post-Prison Supervision to 12 months or less incarceration for a violation of a condition of parole, probation or post-prison supervision.

(2) A **city or** county may enter into an agreement with the Department of Corrections under ORS 190.110 for the confinement and detention of offenders subject to the legal and physical custody of the **city or** county. The agreement may provide for the reception, detention, care and maintenance, and work assignment of **the offenders**[:]

[(a) Offenders convicted of a misdemeanor; and]

[(b) Offenders convicted of a felony who are:]

[(A) Sentenced, on or after January 1, 1997, to 12 months or less incarceration; or]

[(B) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post-Prison Supervision to 12 months or less incarceration for a violation of a condition of parole, probation or post-prison supervision].

(3) An agreement entered into under ORS 190.110 and subsection (2) of this section shall include a provision that the **city or** county reimburse the Department of Corrections for its costs incurred in confining the [*county*] inmate. Reimbursement shall be made on a per diem basis at a rate determined by the department to be its average daily incarceration cost per inmate. In lieu of reimbursement, the department and **the city or** county may enter into an agreement providing for the comparable exchange of inmates as determined by the department.

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.

