

A-Engrossed
House Bill 3160

Ordered by the House April 5
Including House Amendments dated April 5

Sponsored by COMMITTEE ON JUDICIARY (at the request of Andy Duyck, Chair, Washington County Board of Commissioners)

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.

[Extends] **Authorizes** entitlement to good behavior deduction and work credit to persons placed in *[local correctional facilities and custodial]* **alternative sentencing** facilities operated pursuant to community corrections plan.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to credits for prisoners; amending ORS 169.110 and 169.120; and declaring an emergency.

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

SECTION 1. ORS 169.110 is amended to read:

169.110. (1) Each prisoner convicted of *[any]* **an** offense against the laws of this state, who is confined, in execution of the judgment or sentence upon *[any such]* conviction, including confinement imposed as a condition of probation pursuant to ORS 137.540, in *[any]* **a** county local correctional facility in this state for a definite term, whose record of conduct shows that the prisoner has faithfully observed all the rules of the facility, *[shall be]* **is** entitled, in the discretion of the sheriff or other officer having custody of such prisoner, to a deduction from the term of the sentence of the prisoner to be calculated as follows, commencing on the first day of the arrival of the prisoner at the facility to serve the sentence of the prisoner:

[(1)] (a) Upon a sentence of not less than 10 *[nor]* **or** more than 30 days, one day for each 10 days.

[(2)] (b) Upon a sentence of more than 30 days but not more than 90 days, three days for each 30-day period.

[(3)] (c) Upon a sentence of more than 90 days but not more than 180 days, four days for each 30-day period.

[(4)] (d) Upon a sentence of more than 180 days but not more than 270 days, five days for each 30-day period.

[(5)] (e) Upon a sentence of more than 270 days, six days for each 30-day period.

(2)(a) Deductions under this section may be allowed for time served in an alternative sentencing facility operated pursuant to a community corrections plan if the county governing body authorizes the allowing of deductions.

(b) For purposes of calculating deductions allowable under paragraph (a) of this subsection, each day served in the facility is counted as a day of confinement.

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.

1 **SECTION 2.** ORS 169.120 is amended to read:

2 169.120. **(1)(a)** In addition to the allowances provided for in ORS 169.110, all prisoners in a
3 county local correctional facility who are engaged in [any] work either inside or outside the facility
4 are entitled to an allowance of credits in time or compensation, or both, for [such] **the** work.

5 **(b)** The allowances [shall] **under paragraph (a) of this subsection may** not be inconsistent
6 with ORS 169.170 to 169.210.

7 **(2)(a)** The credits provided by this section [shall] **may** not be in excess of 10 days for a period
8 of 30 days and shall be set by the county court, board of county commissioners or local correctional
9 facility supervisor.

10 **(b)** [However,] **Notwithstanding paragraph (a) of this subsection,** in the case of a sentence
11 of not less than 10 [nor] **or** more than 30 days the credits provided by this section are one day of
12 credit for each 10 days of sentence.

13 **(3)(a) Credits under this section may be allowed for time served in an alternative sen-**
14 **tencing facility operated pursuant to a community corrections plan if the county governing**
15 **body authorizes the allowing of credits.**

16 **(b) For purposes of calculating credits allowable under paragraph (a) of this subsection,**
17 **each day served in the facility is counted as a day of confinement.**

18 **SECTION 3.** This 2011 Act being necessary for the immediate preservation of the public
19 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
20 on its passage.

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