

Enrolled
House Bill 3285

Sponsored by COMMITTEE ON JUDICIARY

CHAPTER

AN ACT

Relating to Department of Corrections fees; amending ORS 421.125; and declaring an emergency.

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

SECTION 1. ORS 421.125 is amended to read:

421.125. (1) Upon the discharge or parole of an inmate from the Department of Corrections, the department shall:

- (a) Ensure that the discharged or paroled inmate is properly clothed; and
- (b) Provide the discharged or paroled inmate with the following documents:
 - (A) Verification of the inmate’s work history while in the custody of the department.
 - (B) Certification of any educational programs completed by the inmate while in the custody of the department.
 - (C) Certification of any treatment programs completed by the inmate while in the custody of the department.

(2) It is the responsibility of every inmate of the Department of Corrections, during the inmate’s term of imprisonment, to accumulate funds in anticipation of parole, discharge or other authorized prerelease and for the purposes set out in this subsection. The Department of Corrections shall adopt rules to:

- (a) Safeguard inmate moneys, whether [*such*] **the** moneys are from earnings of the inmate while in a Department of Corrections [*facility*] **institution**, or from other sources, and to provide for disbursement of [*such*] **the** moneys to the inmate following the inmate’s release from imprisonment;
- (b) Establish, within appropriations provided for this purpose, a program of release funds to be provided for [*those*] inmates who have not been able to accumulate sufficient moneys to accommodate [*their*] **the inmates’** release needs;
- (c) Assess [*fees to the inmate*] **and collect fees** for self-improvement programs, services and assistance provided by the department [*when the inmate has*] **to inmates who have sufficient** moneys to pay for [*such*] **the** programs, services and assistance;
- (d) Permit inmates to purchase elective programs, services or assistance [*which*] **that** are approved [*by, but are*] **but** not provided by[,] the department; [*and*]
- (e) Assess [*the inmate*] **and collect disciplinary fines and restitution from inmates** for damages or destruction caused by willful misconduct of the [*inmate.*] **inmates; and**
- (f) **Assess and collect fees from inmates from funds to be credited to, or received for deposit in, inmate trust accounts, not to exceed five percent of the amount of the credit or deposit, to offset the costs of administering inmate trust accounts.**

(3)(a) An inmate sentenced to the custody of the Department of Corrections by an Oregon court is eligible to apply for release funds for a period up to 90 days following the release of the inmate

from the Department of Corrections [facility] **institution** by parole or discharge, including a release to the legal custody of another authority in this state.

(b) [However, inmates eligible to apply for release funds do not include] **Notwithstanding paragraph (a) of this subsection**, inmates released to the legal custody of another authority in this state for ultimate transfer to the custody of a law enforcement or corrections agency in another state[. An inmate released to the legal custody of another authority in this state is not eligible to apply for release funds so long as the person is imprisoned under such authority] **are not eligible to apply for release funds until released by the other authority in this state.**

SECTION 2. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House May 25, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate June 1, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2011

Approved:

.....M.,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2011

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Kate Brown, Secretary of State