

House Bill 2593

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

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**.

Allows court to authorize correctional authority having physical custody of person sentenced to carry out sentence by electronic monitoring for up to six months. With respect to person already sentenced, allows correctional authority to which person is committed to request court to resentence person solely for purpose of authorizing electronic monitoring for up to six months of final period of person's sentence.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to electronic monitoring; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS chapter 137.**

5 **SECTION 2. (1) At the time of sentencing under ORS 137.124, the court may authorize**
6 **the correctional authority that does or will have physical custody of a person sentenced to**
7 **carry out all or a portion of the sentence by the use of electronic monitoring equipment,**
8 **within the limits described in subsection (3) of this section.**

9 **(2) With respect to a person sentenced before the effective date of this 2013 Act, the**
10 **correctional authority having physical custody of the person may request the sentencing**
11 **court to resentence the person solely for the purpose of authorizing the correctional au-**
12 **thority to carry out the final period of the person's sentence by the use of electronic moni-**
13 **toring equipment, within the limits described in subsection (3) of this section.**

14 **(3) The use of electronic monitoring equipment authorized under this section may not**
15 **exceed a period of six months.**

16 **(4) The correctional authority having physical custody of a person sentenced under ORS**
17 **137.124 must consult with any other correctional authority having legal custody of the person**
18 **before:**

19 **(a) Beginning the use of electronic monitoring equipment to carry out a sentence under**
20 **subsection (1) of this section.**

21 **(b) Making a request for resentencing under subsection (2) of this section.**

22 **(5) Authorization by a court under this section does not create a right to have a person's**
23 **sentence carried out by the use of electronic monitoring equipment.**

24 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
26 **on its passage.**

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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.