

HOUSE AMENDMENTS TO HOUSE BILL 2837

By JOINT COMMITTEE ON WAYS AND MEANS

March 27

1 In line 2 of the printed bill, after the semicolon insert “creating new provisions; amending ORS
2 137.300 and section 58, chapter 597, Oregon Laws 2011, and section 2, chapter 631, Oregon Laws
3 2011;”.

4 Delete lines 4 through 11 and insert:

5 **“SECTION 1. (1) Notwithstanding any other law allocating moneys from the Criminal**
6 **Fine Account, the allocation to the Department of Corrections established by section 58 (2),**
7 **chapter 597, Oregon Laws 2011, as amended by section 3 of this 2013 Act, for the period be-**
8 **ginning January 1, 2012, and ending June 30, 2013, is increased by \$3,053,176 for the purpose**
9 **of planning, operating and maintaining county juvenile and adult corrections programs and**
10 **facilities and drug and alcohol programs.**

11 **“(2) Notwithstanding ORS 137.300 (7), the Department of Revenue shall distribute the full**
12 **amount of the increased allocation provided for in this section to the Department of Cor-**
13 **rections as soon as possible after the effective date of this 2013 Act.**

14 **“SECTION 2.** ORS 137.300, as amended by section 14, chapter 89, Oregon Laws 2012, is
15 amended to read:

16 “137.300. (1) The Criminal Fine Account is established in the General Fund. Except as otherwise
17 provided by law, all amounts collected in state courts as monetary obligations in criminal actions
18 shall be deposited by the courts in the account. All moneys in the account are continuously appro-
19 priated to the Department of Revenue to be distributed by the Department of Revenue as provided
20 in this section. The Department of Revenue shall keep a record of moneys transferred into and out
21 of the account.

22 “(2) The Legislative Assembly shall first allocate moneys from the Criminal Fine Account for
23 the following purposes, in the following order of priority:

24 “(a) Allocations for public safety standards, training and facilities.

25 “(b) Allocations for criminal injuries compensation and assistance to victims of crime and chil-
26 dren reasonably suspected of being victims of crime.

27 “(c) Allocations for the forensic services provided by the Oregon State Police, including, but not
28 limited to, services of the State Medical Examiner.

29 “(d) Allocations for the maintenance and operation of the Law Enforcement Data System.

30 “(3) After making allocations under subsection (2) of this section, the Legislative Assembly shall
31 allocate moneys from the Criminal Fine Account for the following purposes:

32 “(a) Allocations to the Law Enforcement Medical Liability Account established under ORS
33 414.815.

34 “(b) Allocations to the State Court Facilities and Security Account established under ORS 1.178.

35 “(c) Allocations to the Department of Corrections for *[community corrections grants under ORS*

1 423.520] **the purpose of planning, operating and maintaining county juvenile and adult cor-**
2 **rections programs and facilities and drug and alcohol programs.**

3 “(d) Allocations to the Oregon Health Authority for the purpose of grants under ORS 430.345
4 for the establishment, operation and maintenance of alcohol and drug abuse prevention, early
5 intervention and treatment services provided through a county.

6 “(e) Allocations to the Oregon State Police for the purpose of the enforcement of the laws re-
7 lating to driving under the influence of intoxicants.

8 “(f) Allocations to the Arrest and Return Account established under ORS 133.865.

9 “(g) Allocations to the Intoxicated Driver Program Fund established under ORS 813.270.

10 “(4) It is the intent of the Legislative Assembly that allocations from the Criminal Fine Account
11 under subsection (3) of this section be consistent with historical funding of the entities, programs
12 and accounts listed in subsection (3) of this section from monetary obligations imposed in criminal
13 proceedings. **Amounts that are allocated under subsection (3)(c) and (d) of this section shall**
14 **be distributed to counties based on the amounts that were transferred to counties by circuit,**
15 **justice and municipal courts during the 2009-2011 biennium under the provisions of ORS**
16 **137.308, as in effect January 1, 2011.**

17 “(5) Moneys in the Criminal Fine Account may not be allocated for the payment of debt service
18 obligations.

19 “(6) The Department of Revenue shall deposit in the General Fund all moneys remaining in the
20 Criminal Fine Account after the distributions listed in subsections (2) and (3) of this section have
21 been made.

22 “(7) The Department of Revenue shall establish by rule a process for distributing moneys in the
23 Criminal Fine Account. The department may not distribute more than one-eighth of the total
24 biennial allocation to an entity during a calendar quarter.

25 “**SECTION 3.** Section 58, chapter 597, Oregon Laws 2011, is amended to read:

26 “**Sec. 58.** (1) There is allocated \$506,244 from the Criminal Fine Account to the Law Enforce-
27 ment Medical Liability Account established under ORS 414.815 for the period beginning January 1,
28 2012, and ending June 30, 2013.

29 “(2) There is allocated \$3,223,179 from the Criminal Fine Account to the Department of Cor-
30 rections for the period beginning January 1, 2012, and ending June 30, 2013, for the purpose of
31 planning, operating and maintaining county juvenile and adult corrections programs and facilities
32 **and drug and alcohol programs.** [*The grant to each county shall be based on amounts deposited in*
33 *the Criminal Fine and Assessment Account by the circuit court for the county in the 2009-2011*
34 *biennium.*]

35 “(3) There is allocated \$42,884 from the Criminal Fine Account to the Oregon Health Authority
36 for the period beginning January 1, 2012, and ending June 30, 2013, for the purpose of grants under
37 ORS 430.345 for the establishment, operation and maintenance of alcohol and drug abuse prevention,
38 early intervention and treatment services provided through a county.

39 “(4) There is allocated \$190,004 from the Criminal Fine Account to the Oregon State Police for
40 the period beginning January 1, 2012, and ending June 30, 2013, for the purpose of the enforcement
41 of the laws relating to driving under the influence of intoxicants.

42 “(5) There is allocated \$22,500 from the Criminal Fine Account to the Arrest and Return Ac-
43 count established under ORS 133.865 for the period beginning January 1, 2012, and ending June 30,
44 2013.

45 “(6) There is allocated \$699,000 from the Criminal Fine Account to the Intoxicated Driver Pro-

1 gram Fund created under ORS 813.270 for the period beginning January 1, 2012, and ending June
2 30, 2013.

3 **“SECTION 4.** Section 2, chapter 631, Oregon Laws 2011, is amended to read:

4 **“Sec 2.** Notwithstanding any other law limiting expenditures, the following amounts are estab-
5 lished for the biennium beginning July 1, 2011, as the maximum limits for payment of expenses from
6 fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and
7 federal funds, collected or received by the Department of Corrections, for the following purposes:

- 8 (1) Operations and health services \$ 9,522,269
9 (2) Administration, public services
10 and general services..... \$ 6,968,970
11 (3) Transitional services..... \$ 9,038,775
12 (4) Community corrections;
13 **Planning, operating and**
14 **maintaining county juvenile**
15 **and adult corrections programs**
16 **and facilities; Drug and**
17 **alcohol programs \$ 2,123,773**

18 **“SECTION 5.** The amendments to section 58, chapter 597, Oregon Laws 2011, by section
19 **3 of this 2013 Act apply to all unexpended amounts distributed to counties by the Department**
20 **of Corrections pursuant to section 58, chapter 597, Oregon Laws 2011.**

21 **“SECTION 6.** (1) Notwithstanding any other law allocating moneys from the Administra-
22 **tive Services Economic Development Fund, the allocation to the Oregon Business Develop-**
23 **ment Department established by section 3 (1), chapter 622, Oregon Laws 2011, for the**
24 **biennium beginning July 1, 2011, as modified by legislative action, is decreased by \$145,632.**

25 **“(2) Notwithstanding any other law allocating moneys from the Administrative Services**
26 **Economic Development Fund, the allocation to the Oregon Business Development Depart-**
27 **ment established by section 3 (2), chapter 622, Oregon Laws 2011, for the biennium beginning**
28 **July 1, 2011, as modified by legislative action, is decreased by \$990,130.**

29 **“(3) Notwithstanding any other law allocating moneys from the Administrative Services**
30 **Economic Development Fund, the allocation to the Oregon Business Development Depart-**
31 **ment established by section 3 (3), chapter 622, Oregon Laws 2011, for the biennium beginning**
32 **July 1, 2011, as modified by legislative action, is decreased by \$24,548.**

33 **“SECTION 7.** Notwithstanding any other law allocating moneys from the Administrative
34 **Services Economic Development Fund, the allocation to the Department of Education, for**
35 **the State School Fund, established by section 4, chapter 622, Oregon Laws 2011, for the**
36 **biennium beginning July 1, 2011, as modified by legislative action, is decreased by \$8,096,204.**

37 **“SECTION 8.** Notwithstanding any other law allocating moneys from the Administrative
38 **Services Economic Development Fund, the allocation to the office of the Governor estab-**
39 **lished by section 6, chapter 622, Oregon Laws 2011, for the biennium beginning July 1, 2011,**
40 **as modified by legislative action, is decreased by \$40,436.**

41 **“SECTION 9.** Notwithstanding any other law allocating moneys from the Administrative
42 **Services Economic Development Fund, the allocation to the Sports Lottery Account estab-**
43 **lished by section 9, chapter 622, Oregon Laws 2011, for the biennium beginning July 1, 2011,**
44 **as modified by legislative action, is decreased by \$187,232.**

45 **“SECTION 10.** Notwithstanding any other law allocating moneys from the Administrative

1 Services Economic Development Fund, the allocation to the Oregon Department of Admin-
2 istrative Services, for distribution to counties for economic development activities as pro-
3 vided by ORS 461.547, established by section 10, chapter 622, Oregon Laws 2011, for the
4 biennium beginning July 1, 2011, is decreased by \$808,801.

5 “SECTION 11. Notwithstanding any other law allocating moneys from the Administrative
6 Services Economic Development Fund, the allocation to the Problem Gambling Treatment
7 Fund established by section 11, chapter 622, Oregon Laws 2011, for the biennium beginning
8 July 1, 2011, as modified by legislative action, is decreased by \$230,568.

9 “SECTION 12. Notwithstanding any other law allocating moneys from the Administrative
10 Services Economic Development Fund, the allocation to the County Fair Account established
11 by section 12, chapter 622, Oregon Laws 2011, for the biennium beginning July 1, 2011, is de-
12 creased by \$78,446.

13 “SECTION 13. Notwithstanding any other law allocating moneys from the Administrative
14 Services Economic Development Fund, the allocation to the Oregon Department of Admin-
15 istrative Services, for transfer to the State Department of Agriculture, established by sec-
16 tion 13, chapter 622, Oregon Laws 2011, for the biennium beginning July 1, 2011, is decreased
17 by \$400.

18 “SECTION 14. Notwithstanding ORS 652.409 (2), the amount of \$76,069 is transferred from
19 the Wage Security Fund to the General Fund for general governmental purposes. The
20 transfer shall be made on or before June 30, 2013, from moneys maintained in the Wage Se-
21 curity Fund on the effective date of this 2013 Act.

22 “SECTION 15. This 2013 Act being necessary for the immediate preservation of the public
23 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
24 on its passage.”

25 _____