

Senate Bill 79

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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**.

Modifies description of certain agreements between county and Department of Corrections.

A BILL FOR AN ACT

1
2 Relating to the Department of Corrections; amending ORS 169.053.

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

4 **SECTION 1.** ORS 169.053 is amended to read:

5 169.053. (1) A county may enter into an agreement with one or more other counties of this state
6 under ORS 190.010 for the confinement and detention of offenders subject to the legal and physical
7 custody of the county. The agreement may provide for the reception, detention, care and mainte-
8 nance, and work assignment of:

9 (a) Pretrial detainees;

10 (b) Offenders convicted of a misdemeanor; and

11 (c) Offenders convicted of a felony who are:

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

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

16 (2) A county may enter into an agreement with the Department of Corrections under ORS
17 190.110 for the confinement and detention of offenders subject to the legal and physical custody of
18 the county. The agreement may provide for the reception, detention, care and maintenance, and
19 work assignment of:

20 (a) Offenders convicted of a misdemeanor; and

21 (b) Offenders convicted of a felony who are:

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

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

26 (3) An agreement [*entered into under ORS 190.110 and*] **described in** subsection (2) of this sec-
27 tion shall include a provision that the county reimburse the Department of Corrections for its costs
28 incurred in confining the county inmate. Reimbursement shall be made on a per diem basis at a rate
29 determined by the department to be its average daily incarceration cost per inmate. In lieu of re-
30 imbursement, the department and county may enter into an agreement providing for the comparable
31 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.

