

**PROPOSED AMENDMENTS TO
SENATE BILL 1550**

1 On page 1 of the printed bill, line 2, delete “amending ORS 163.700” and
2 insert “creating new provisions; amending ORS 163.700 and 421.168; repealing
3 section 16, chapter 649, Oregon Laws 2013”.

4 On page 2, after line 22, insert:

5 **“SECTION 2.** ORS 421.168, as amended by section 15, chapter 649, Oregon
6 Laws 2013, is amended to read:

7 “421.168. (1) The Department of Corrections shall establish a short-term
8 transitional leave program. The program shall provide inmates with an op-
9 portunity to secure appropriate transitional support when necessary for
10 successful reintegration into the community prior to the inmate’s discharge
11 to post-prison supervision.

12 “(2) The Department of Corrections shall identify each inmate who is el-
13 igible for the short-term transitional leave program and shall, in conjunction
14 with the supervisory authority for the county to which the inmate will be
15 released, assist each eligible inmate in preparing a transition plan and in
16 identifying and applying for an employment, educational or other transi-
17 tional opportunity in the community.

18 **“(3)(a) Except as provided in paragraph (b) of this subsection,** if the
19 inmate’s transition plan is approved by the department and is an essential
20 part of the inmate’s successful reintegration into the community, the de-
21 partment may grant a transitional leave no more than [30] **90** days prior to
22 the inmate’s discharge date.

1 “(b) If the inmate’s transition plan is approved by the department
2 and is an essential part of the inmate’s successful reintegration into
3 the community, the department may grant a transitional leave no
4 more than 30 days prior to the inmate’s discharge date if the inmate
5 is serving a sentence for any of the following crimes:

6 “(A) Criminally negligent homicide as described in ORS 163.145;

7 “(B) Rape in the third degree as described in ORS 163.355;

8 “(C) Sodomy in the third degree as described in ORS 163.385;

9 “(D) Sexual abuse in the second degree as described in ORS 163.425;

10 “(E) Assault in the third degree as described in ORS 163.165;

11 “(F) Robbery in the third degree as described in ORS 164.395; or

12 “(G) Criminal mistreatment in the first degree as described in ORS
13 **163.205.**

14 “(4) An inmate is not eligible for transitional leave before having served
15 six months of prison incarceration.

16 “(5) The department shall adopt rules to carry out the provisions of this
17 section. The rules must include a set of release conditions for inmates re-
18 leased on transitional leave status. An inmate on transitional leave status
19 is subject to immediate return to prison for any violation of the conditions
20 of release.

21 “(6) The provisions of this section do not apply to inmates whose sen-
22 tences were imposed under ORS 137.635, 137.700 or 137.707 or any other pro-
23 vision of law that prohibits release on any form of temporary leave from
24 custody.

25 “**SECTION 3.** ORS 421.168, as amended by section 15, chapter 649, Oregon
26 Laws 2013, and section 2 of this 2014 Act, is amended to read:

27 “421.168. (1) The Department of Corrections shall establish a short-term
28 transitional leave program. The program shall provide inmates with an op-
29 portunity to secure appropriate transitional support when necessary for
30 successful reintegration into the community prior to the inmate’s discharge

1 to post-prison supervision.

2 “(2) The Department of Corrections shall identify each inmate who is el-
3 igible for the short-term transitional leave program and shall, in conjunction
4 with the supervisory authority for the county to which the inmate will be
5 released, assist each eligible inmate in preparing a transition plan and in
6 identifying and applying for an employment, educational or other transi-
7 tional opportunity in the community.

8 “(3)[(a) *Except as provided in paragraph (b) of this subsection,*] If the
9 inmate’s transition plan is approved by the department and is an essential
10 part of the inmate’s successful reintegration into the community, the de-
11 partment may grant a transitional leave no more than [90] **30** days prior to
12 the inmate’s discharge date.

13 “[*(b) If the inmate’s transition plan is approved by the department and is*
14 *an essential part of the inmate’s successful reintegration into the community,*
15 *the department may grant a transitional leave no more than 30 days prior to*
16 *the inmate’s discharge date if the inmate is serving a sentence for any of the*
17 *following crimes:*]

18 “[*(A) Criminally negligent homicide as described in ORS 163.145;*]

19 “[*(B) Rape in the third degree as described in ORS 163.355;*]

20 “[*(C) Sodomy in the third degree as described in ORS 163.385;*]

21 “[*(D) Sexual abuse in the second degree as described in ORS 163.425;*]

22 “[*(E) Assault in the third degree as described in ORS 163.165;*]

23 “[*(F) Robbery in the third degree as described in ORS 164.395; or*]

24 “[*(G) Criminal mistreatment in the first degree as described in ORS*
25 *163.205.*]

26 “(4) An inmate is not eligible for transitional leave before having served
27 six months of prison incarceration.

28 “(5) The department shall adopt rules to carry out the provisions of this
29 section. The rules must include a set of release conditions for inmates re-
30 leased on transitional leave status. An inmate on transitional leave status

1 is subject to immediate return to prison for any violation of the conditions
2 of release.

3 “(6) The provisions of this section do not apply to inmates whose sen-
4 tences were imposed under ORS 137.635, 137.700 or 137.707 or any other pro-
5 vision of law that prohibits release on any form of temporary leave from
6 custody.

7 **“SECTION 4. Section 16, chapter 649, Oregon Laws 2013, is repealed.**

8 **“SECTION 5. The amendments to ORS 421.168 by section 2 of this**
9 **2014 Act apply to sentences imposed for crimes committed on or after**
10 **the effective date of this 2014 Act.**

11 **“SECTION 6. (1) The amendments to ORS 421.168 by section 3 of this**
12 **2014 Act become operative on July 1, 2023.**

13 **“(2) The amendments to ORS 421.168 by section 3 of this 2014 Act**
14 **apply to crimes committed on or after July 1, 2023.”.**

15 In line 23, delete “2” and insert “7”.

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