

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4037**

1 On page 1 of the printed bill, line 2, delete “and 137.320” and insert “,  
2 137.320 and 419C.058”.

3 On page 4, after line 3, insert:

4 **“SECTION 3.** ORS 419C.058 is amended to read:

5 “419C.058. (1) **With the approval of the Chief Justice of the Supreme**  
6 **Court**, the presiding judge of the twenty-second judicial district **and, for**  
7 **cases arising in Wasco County or Hood River County, the presiding**  
8 **judge of the seventh judicial district**, [*with the approval of the Chief Jus-*  
9 *tice of the Supreme Court,*] may enter into a memorandum of understanding  
10 with the Confederated Tribes of Warm Springs regarding the adjudication  
11 and disposition of youths and youth offenders.

12 “(2) A memorandum of understanding entered into under subsection (1)  
13 of this section may allow the juvenile court of the judicial district:

14 “(a) To waive its jurisdiction over a youth and transfer the case, not-  
15 withstanding ORS 419C.005, to the jurisdiction of the tribal court of the  
16 Confederated Tribes of Warm Springs for adjudication; or

17 “(b) After finding the youth to be within its jurisdiction under ORS  
18 419C.005, to transfer the case to the tribal court of the Confederated Tribes  
19 of Warm Springs for disposition.

20 “(3) A memorandum of understanding entered into under subsection (1)  
21 of this section applies only to youths or youth offenders who are enrolled  
22 members of a federally recognized tribe and who reside on the Warm Springs

1 Reservation.

2 “(4) A memorandum of understanding entered into under subsection (1)  
3 of this section may contain, but is not limited to, provisions relating to:

4 “(a) The duration of the memorandum of understanding;

5 “(b) The cases that are subject to transfer;

6 “(c) Who may request a transfer;

7 “(d) The custody of a youth or youth offender after transfer; and

8 “(e) The sharing of information about a case after it has been  
9 transferred.”.

10 In line 4, delete “3” and insert “4”.

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