

D R A F T

SUMMARY

Specifies that reduction of period of supervision for certain convicted persons applies to probation or local control post-prison supervision. Changes terminology describing reduction.

A BILL FOR AN ACT

1
2 Relating to reduction in period of supervision; amending ORS 137.633 and
3 423.483.

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

5 **SECTION 1.** ORS 137.633 is amended to read:

6 137.633. (1) A person convicted of a felony and sentenced to probation or
7 to the legal and physical custody of the supervisory authority under ORS
8 137.124 (2) is eligible for a reduction in the period of **probation or local**
9 **control post-prison** supervision for complying with terms of **probation or**
10 **post-prison** supervision, including the payment of restitution and partic-
11 ipation in recidivism reduction programs.

12 (2) The maximum [*amount of time credits earned*] **reduction** under this
13 section may not exceed 50 percent of the period of **probation or local con-**
14 **trol post-prison** supervision imposed.

15 (3) [*Time credits*] **A reduction under this section** may not be used to
16 shorten the period of **probation or local control post-prison** supervision
17 to less than six months.

18 (4)(a) The Department of Corrections shall adopt rules to carry out the
19 provisions of this section. [*The rules must establish a process for granting,*
20 *retracting and restoring time credits earned under this section.*]

1 (b) The supervisory authority shall comply with the rules adopted under
2 this section.

3 **(5) As used in this section, “local control post-prison supervision”**
4 **means post-prison supervision that is supervised by a local supervisory**
5 **authority pursuant to ORS 144.101.**

6 **SECTION 2.** ORS 423.483, as amended by section 20, chapter 649, Oregon
7 Laws 2013, is amended to read:

8 423.483. (1)(a) The baseline funding for biennia beginning after June 30,
9 1999, is the current service level for the expenses of providing management,
10 support services, supervision and sanctions for offenders described in ORS
11 423.478 (2). At a minimum, each biennium’s appropriation must be established
12 at this baseline.

13 (b) The baseline funding described in paragraph (a) of this subsection:

14 (A) May not be decreased as a result of [*time credits earned*] **a reduction**
15 under ORS 137.633.

16 (B) May not be increased as a result of community-based sanctions, ser-
17 vices and programs that are funded under section 53, chapter 649, Oregon
18 Laws 2013.

19 (2) If the total state community corrections appropriation is less than the
20 baseline calculated under subsection (1) of this section, a county may dis-
21 continue participation by written notification to the director 180 days prior
22 to implementation of the change. If a county discontinues participation, the
23 responsibility for correctional services transferred to the county, and the
24 portion of funding made available to the county under ORS 423.530 reverts
25 to the Department of Corrections. In no case does responsibility for super-
26 vision and provision of correctional services to misdemeanor offenders revert
27 to the department.

28 (3) As used in this section, “current service level” means the calculated
29 cost of continuing current legislatively funded programs, phased in programs
30 and increased caseloads minus one-time costs, decreased caseloads, phased
31 out programs and pilot programs with the remainder adjusted for inflation

1 as determined by the Legislative Assembly in its biennial appropriation to
2 the Department of Corrections.

3 **SECTION 3.** ORS 423.483, as amended by sections 20 and 22, chapter 649,
4 Oregon Laws 2013, is amended to read:

5 423.483. (1)(a) The baseline funding for biennia beginning after June 30,
6 1999, is the current service level for the expenses of providing management,
7 support services, supervision and sanctions for offenders described in ORS
8 423.478 (2). At a minimum, each biennium's appropriation must be established
9 at this baseline.

10 (b) The baseline funding described in paragraph (a) of this subsection may
11 not be decreased as a result of [*time credits earned*] **a reduction** under ORS
12 137.633.

13 (2) If the total state community corrections appropriation is less than the
14 baseline calculated under subsection (1) of this section, a county may dis-
15 continue participation by written notification to the director 180 days prior
16 to implementation of the change. If a county discontinues participation, the
17 responsibility for correctional services transferred to the county, and the
18 portion of funding made available to the county under ORS 423.530 reverts
19 to the Department of Corrections. In no case does responsibility for super-
20 vision and provision of correctional services to misdemeanor offenders revert
21 to the department.

22 (3) As used in this section, "current service level" means the calculated
23 cost of continuing current legislatively funded programs, phased in programs
24 and increased caseloads minus one-time costs, decreased caseloads, phased
25 out programs and pilot programs with the remainder adjusted for inflation
26 as determined by the Legislative Assembly in its biennial appropriation to
27 the Department of Corrections.

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