
MEMORANDUM

Legislative Fiscal Office
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To: Human Services Subcommittee of the Joint Committee on Ways and Means

From: Kim To, Legislative Fiscal Office, 503-986-1830

Date: Thursday, June 25, 2015

Subject: SB 969 Relating to persons with criminal convictions
Work Session Recommendation

Senate Bill 969 establishes the 15-member Task Force on Reentry, Employment and Housing charged with studying and recommending methods and actions that state and local government should adopt to assist no-longer-incarcerated persons with criminal convictions with housing and employment. Committee Services is required to provide staff support to the task force. Oregon Housing and Community Services is to reimburse non-legislative members of the task force. The Department of Corrections (DOC), the Employment Department, the Higher Education Coordinating Commission (HECC), Oregon Criminal Justice Commission (OCJC), and counties are expected to participate as members on the task force, and to play a role in furnishing the task force with existing available data, information, advice, and other support.

The measure previously had hearings in the Senate Committee on Rules on 6/16/2015.

The original staff measure summary and the fiscal impact statement are attached to this memo, and available on the Oregon Legislative Information System (OLIS).

Fiscal Impact

Indeterminate (depending on the scope of work undertaken by the task force, as well as the number of meetings, and geographic location of task force members), but anticipated to be minimal.

Motion

Motion: Senator/Representative _____:
I move SB 969 to the Full Committee with a “do pass” recommendation as amended.

Assignment of Carriers

Full: _____

Senate: _____

House: _____

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 969

Seventy-Eighth Oregon Legislative Assembly – 2015 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Kim To
Reviewed by: Michelle Deister, Linda Gilbert, Daron Hill, Paul Siebert
Date: 6/16/2015

Measure Description:

Establishes Task Force on Reentry, Employment and Housing.

Government Unit(s) Affected:

Department of Corrections, Employment Department, Higher Education Coordinating Commission, Housing and Community Services Department, Legislative Administration Committee (LAC), Oregon Criminal Justice Commission, counties,

Local Government Mandate:

This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

Analysis:

Senate Bill 969 establishes the 15-member Task Force on Reentry, Employment and Housing charged with studying and recommending methods and actions that state and local government should adopt to assist no-longer-incarcerated persons with criminal convictions with housing and employment.

Legislative Administration Committee (LAC)

The bill requires LAC to provide staff support to the task force. Four members of the task force will be Legislative members who are entitled to per diem and travel reimbursement. Although the 2015-17 Legislative Branch budget contains funds allocated for interim committee and task force, if the work required by this task force, or if the cumulative enactment of other legislation with interim committees and task forces exceeds expenditure levels beyond those assumed in the 2015-17 budget, additional General Fund resources may be required.

Oregon Housing and Community Services (OHCS)

The fiscal impact of this bill on OHCS is indeterminate. The bill requires OHCS to reimburse the non-Legislative members of the task force for travel and other expenses incurred in their performance of task force duties out of funds appropriated to OHCS for purposes of the task force. However, the bill does not appropriate additional funds to OHCS, which would seem to suggest that expenses for reimbursement and staff support are intended to come from its Legislatively Approved Budget. The bill allows the task force to meet at times and places specified by the call of the chair or a majority of the voting members. The fiscal impact of this bill on OHCS is indeterminate depending on the scope of work undertaken by the task force, as well as the number of meetings, and geographic location of task force members.

Department of Corrections (DOC), Employment Department, Higher Education Coordinating Commission (HECC), Oregon Criminal Justice Commission (OCJC), counties

Passage of this bill is anticipated to have minimal impact on these agencies and counties. These entities expect to participate as members on the task force, and to play a role in furnishing the task force with existing available data, information, advice, and other support.

STAFF MEASURE SUMMARY

Senate Committee On Rules

Fiscal: Fiscal impact issued

Revenue: No Revenue Impact

Action Date: 06/16/15

Action: Do Pass And Requesting Referral To Ways And Means.

Meeting Dates: 06/16

Vote:

Yeas: 5 - Beyer, Boquist, Burdick, Ferrioli, Rosenbaum

Prepared By: Erin Seiler, Committee Administrator

WHAT THE MEASURE DOES:

Establishes Task Force on Reentry, Employment and Housing. Requires report to Legislative Assembly no later than December 15, 2015. Sunsets Task Force on December 31, 2016. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Barriers to education, employment and housing for individuals released from incarceration
- Ending cycle of recidivism
- Challenges returning to workforce or accessing educational resources
- Resources spent on incarceration; resources spent on reentry
- Balance needs of public and private sector

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

After release from incarceration, offenders are expected to reintegrate into society by obtaining suitable housing, complying with court-ordered payment of debts such as restitution and/or child support in arrears, and supporting themselves, all of which being predicated on their ability to secure gainful employment. Studies have also found that access to housing and employment are among the two most effective ways to reduce recidivism. According to the National Conference of State Legislatures (NCSL), at least 27 states limit or prohibit the use of criminal records for public or private employment and/or licensing eligibility. NCSL also reports that 13 states, plus the District of Columbia, have enacted "Ban the Box" legislation restricting or prohibiting employers from using an applicant's criminal history in employment consideration, with few exceptions. Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination on the basis of race, color, religion, sex and national origin, does not prohibit discrimination on the basis of criminal history.

Senate Bill 969 establishes the fifteen-member Task Force on Reentry, Employment and Housing (Task Force) to improve the experience of reentry into non-incarcerated daily living for persons with a criminal conviction. The Task Force will discuss ways to expand employment opportunities, provide housing opportunities and create certificates and a certification process for persons with criminal convictions and report to the Legislative Assembly no later than December 15, 2015.

Senate Bill 969

Sponsored by Senators WINTERS, DEMBROW, Representatives KOTEK, WILLIAMSON, KRIEGER; Representative KENNEMER

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**.

Establishes Task Force on Reentry, Employment and Housing.
Requires report to Legislative Assembly no later than December 15, 2015.
Sunsets task force on December 31, 2016.
Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to persons with criminal convictions; and declaring an emergency.

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

SECTION 1. (1) The Task Force on Reentry, Employment and Housing is established, consisting of 15 members appointed as follows:

(a) The President of the Senate shall appoint two members from among members of the Senate, one from the majority party and one from the minority party.

(b) The Speaker of the House of Representatives shall appoint two members from among members of the House of Representatives, one from the majority party and one from the minority party.

(c) The Governor shall appoint 11 members as follows:

(A) One member to represent the office of the Governor.

(B) One member to represent the Employment Department.

(C) One member to represent community colleges.

(D) One member to represent the Oregon Criminal Justice Commission.

(E) One member to represent housing and community development.

(F) One member to represent parole and probation personnel.

(G) One member to represent counties.

(H) One member to represent building trades.

(I) One member to represent Oregon businesses.

(J) One member to represent housing advocates.

(K) One member to represent reentry advocates.

(2) The task force shall study and recommend methods and actions that the state and local governments may reasonably undertake to:

(a) Improve the experience of reentry into nonincarcerated daily living for persons with a criminal conviction;

(b) Expand employment opportunities for persons with a criminal conviction;

(c) Assist with identifying and providing housing opportunities for persons with a criminal conviction; and

(d) Create certificates and a certification process for persons with a criminal conviction.

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.

1 **(3) A majority of the members of the task force constitutes a quorum for the transaction**
2 **of business.**

3 **(4) Official action by the task force requires the approval of a majority of the members**
4 **of the task force.**

5 **(5) The task force shall elect one of its members to serve as chairperson.**

6 **(6) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
7 **ment to become immediately effective.**

8 **(7) The task force shall meet at times and places specified by the call of the chairperson**
9 **or of a majority of the members of the task force.**

10 **(8) The task force may adopt rules necessary for the operation of the task force.**

11 **(9) The task force shall submit a report in the manner provided by ORS 192.245, and may**
12 **include recommendations for legislation, to interim committees of the Legislative Assembly**
13 **related to housing and workforce development no later than December 15, 2015.**

14 **(10) The Legislative Administrator shall provide staff support to the task force.**

15 **(11) Members of the task force who are not members of the Legislative Assembly are not**
16 **entitled to compensation, but may be reimbursed for actual and necessary travel and other**
17 **expenses incurred by them in the performance of their official duties in the manner and**
18 **amounts provided for in ORS 292.495. Claims for expenses incurred in performing functions**
19 **of the task force shall be paid out of funds appropriated to the Housing and Community**
20 **Services Department for purposes of the task force.**

21 **(12) All agencies of state government, as defined in ORS 174.111, are directed to assist**
22 **the task force in the performance of its duties and, to the extent permitted by laws relating**
23 **to confidentiality, to furnish such information and advice as the members of the task force**
24 **consider necessary to perform their duties.**

25 **SECTION 2.** Section 1 of this 2015 Act is repealed on December 31, 2016.

26 **SECTION 3.** This 2015 Act being necessary for the immediate preservation of the public
27 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
28 **on its passage.**

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