

House Bill 2423

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor John A. Kitzhaber, M.D., for Department of Corrections)

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**.

Provides that inmates convicted of certain crimes are not eligible for earned time reduction in prison sentence. Eliminates certain earned time reductions available for completion of education program.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to earned time sentence reductions; creating new provisions; amending ORS 421.121; and declaring an emergency.

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

SECTION 1. ORS 421.121 is amended to read:

421.121. (1) Except as provided in ORS 137.635, **137.700, 137.707, 163.105 and 163.115**, each inmate sentenced to the custody of the Department of Corrections for felonies committed on or after November 1, 1989, is eligible for a reduction in the term of incarceration for:

(a) Appropriate institutional behavior, as defined by rule of the Department of Corrections; and

(b)[(A)] Participation in the adult basic skills development program described in ORS 421.084. [; or]

[(B) *Obtaining a high school diploma, a General Educational Development (GED) certificate, a certificate or degree from a post-secondary education institution as defined in ORS 337.511 or a journey level certification from a registered apprenticeship program as defined in ORS 660.010. The reduction described in this subparagraph may not exceed a period of 60 days.*]

(2) The maximum amount of time credits earned for appropriate institutional behavior[,] **or** for participation in the adult basic skills development program described in ORS 421.084 [*or for obtaining a diploma, certificate or degree described in subsection (1)(b)(B) of this section*] may not exceed 20 percent of the total term of incarceration in a Department of Corrections institution.

(3) The time credits may not be used to shorten the term of actual prison confinement to less than six months.

(4) The department shall adopt rules pursuant to the rulemaking provisions of ORS chapter 183 to establish a process for granting, retracting and restoring the time credits earned by the offender as allowed in subsections (1) to (3) of this section.

SECTION 2. The amendments to ORS 421.121 by section 1 of this 2015 Act apply to offenders sentenced for crimes committed on or after the effective date of this 2015 Act.

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

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.