

House Bill 3036

Sponsored by COMMITTEE ON JUDICIARY

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**.

Authorizes State Board of Parole and Post-Prison Supervision to request appearance by representative of office of prosecuting attorney at hearing setting or resetting release date of person. Requires district attorney to notify Attorney General of request if Attorney General prosecuted person. Requires prosecuting district attorney, or Attorney General in certain circumstances, to appear upon request.

A BILL FOR AN ACT

1
2 Relating to State Board of Parole and Post-Prison Supervision hearings.

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

4 **SECTION 1. (1) For the purposes of obtaining additional information for the hearing, the**
5 **State Board of Parole and Post-Prison Supervision may make a request to the district at-**
6 **torney of the county in which a person was convicted that a representative of the office of**
7 **the prosecuting attorney appear at any hearing during which the board is to consider setting**
8 **or resetting a release date for the person.**

9 **(2) Upon a board request for appearance at a hearing described in subsection (1) of this**
10 **section, the district attorney shall:**

11 **(a) Appear at the hearing if the district attorney prosecuted the person.**

12 **(b) Notify the Attorney General of the request for appearance if the Attorney General**
13 **prosecuted the person.**

14 **(3) Upon receiving notification from a district attorney of a request for appearance under**
15 **subsection (2)(b) of this section, the Attorney General shall appear at the hearing described**
16 **in subsection (1) of this section.**

17 **(4) Notwithstanding subsection (2)(a) of this section, a district attorney may request, and**
18 **the Attorney General may agree, that the Attorney General appear at a hearing described**
19 **in subsection (1) of this section in lieu of the district attorney.**

20 **(5) Any appearance at a hearing made pursuant to this section may be made in person,**
21 **by telephone or by electronic communication device.**

22 **(6) Nothing in this section limits or impairs the right of a district attorney to appear at**
23 **a board hearing under any other provision of law.**

24 **SECTION 2. Section 1 of this 2015 Act applies to hearings conducted on or after the ef-**
25 **fective date of this 2015 Act.**

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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.