

House Bill 3070

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**.

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

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

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

4 137.633. (1) A person convicted of a felony and sentenced to probation or to the legal and
5 physical custody of the supervisory authority under ORS 137.124 (2) is eligible for a reduction in the
6 period of **probation or local control post-prison** supervision for complying with terms of **pro-**
7 **bation or post-prison** supervision, including the payment of restitution and participation in
8 recidivism reduction programs.

9 (2) The maximum [*amount of time credits earned*] **reduction** under this section may not exceed
10 50 percent of the period of **probation or local control post-prison** supervision imposed.

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

13 (4)(a) The Department of Corrections shall adopt rules to carry out the provisions of this sec-
14 tion. [*The rules must establish a process for granting, retracting and restoring time credits earned*
15 *under this section.*]

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

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

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

21 423.483. (1)(a) The baseline funding for biennia beginning after June 30, 1999, is the current
22 service level for the expenses of providing management, support services, supervision and sanctions
23 for offenders described in ORS 423.478 (2). At a minimum, each biennium's appropriation must be
24 established at this baseline.

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

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

27 (B) May not be increased as a result of community-based sanctions, services and programs that
28 are funded under section 53, chapter 649, Oregon Laws 2013.

29 (2) If the total state community corrections appropriation is less than the baseline calculated
30 under subsection (1) of this section, a county may discontinue participation by written notification
31

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 to the director 180 days prior to implementation of the change. If a county discontinues partic-
 2 ipation, the responsibility for correctional services transferred to the county, and the portion of
 3 funding made available to the county under ORS 423.530 reverts to the Department of Corrections.
 4 In no case does responsibility for supervision and provision of correctional services to misdemeanor
 5 offenders revert to the department.

6 (3) As used in this section, “current service level” means the calculated cost of continuing cur-
 7 rent legislatively funded programs, phased in programs and increased caseloads minus one-time
 8 costs, decreased caseloads, phased out programs and pilot programs with the remainder adjusted for
 9 inflation as determined by the Legislative Assembly in its biennial appropriation to the Department
 10 of Corrections.

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

13 423.483. (1)(a) The baseline funding for biennia beginning after June 30, 1999, is the current
 14 service level for the expenses of providing management, support services, supervision and sanctions
 15 for offenders described in ORS 423.478 (2). At a minimum, each biennium’s appropriation must be
 16 established at this baseline.

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

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

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

31