

## HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3503

By JOINT COMMITTEE ON WAYS AND MEANS

June 25

1 On page 1 of the printed A-engrossed bill, delete lines 4 through 23 and delete pages 2 and 3  
2 and insert:

3 **“SECTION 1. (1) The Department of Corrections, in partnership with the circuit court**  
4 **and county community corrections agencies of participating counties and the Department**  
5 **of Human Services, shall establish the Family Sentencing Alternative Pilot Program.**

6 **“(2) A defendant is eligible for the Family Sentencing Alternative Pilot Program if:**

7 **“(a) The defendant’s presumptive sentence under the sentencing guidelines of the Oregon**  
8 **Criminal Justice Commission is a term of imprisonment in the legal and physical custody of**  
9 **the Department of Corrections of at least one year;**

10 **“(b) The defendant has not previously been convicted of, and is not currently being sen-**  
11 **tenced for:**

12 **“(A) A person felony as defined in the rules of the Oregon Criminal Justice Commission;**

13 **“(B) A sex crime as defined in ORS 181.805; or**

14 **“(C) An offense requiring a specified sentence under ORS 137.635, 137.700, 137.707, 164.061,**  
15 **475.907, 475.925, 475.930 or 813.010; and**

16 **“(c) The defendant is the parent or legal guardian of a minor child and had physical**  
17 **custody of the child at the time of the offense.**

18 **“(3) If the defendant meets the eligibility requirements described in subsection (2) of this**  
19 **section and receives a downward dispositional departure under the rules of the Oregon**  
20 **Criminal Justice Commission, the court may order that the defendant sign a release au-**  
21 **thorizing the Department of Human Services to provide the community corrections agency**  
22 **with written confirmation of, and consultation concerning, any open or current juvenile de-**  
23 **pendency proceeding or any prior substantiated allegation of abuse or neglect involving the**  
24 **defendant and a minor child.**

25 **“(4) After receipt of the information described in subsection (3) of this section, the**  
26 **community corrections agency, in consultation with the Department of Human Services,**  
27 **shall determine if the Family Sentencing Alternative Pilot Program is an appropriate pro-**  
28 **gram for the defendant and, if the program is appropriate, require participation in the pro-**  
29 **gram for the first 12 months of the probationary sentence. In addition to the conditions of**  
30 **probation ordered under ORS 137.540, the defendant may be required to comply with any**  
31 **additional conditions related to the program, including but not limited to:**

32 **“(a) Geographical restrictions, including house arrest and electronic surveillance;**

33 **“(b) Participation in vocational training; and**

34 **“(c) Completion of:**

35 **“(A) Parenting skills classes;**

1       “(B) Drug or alcohol treatment;

2       “(C) Mental health treatment; or

3       “(D) Life skills classes.

4       “(5) The Department of Human Services and community corrections agencies shall co-  
5 operate with the Department of Corrections in implementing the Family Sentencing Alter-  
6 native Pilot Program described in this section.

7       “(6) The Department of Human Services and the Department of Corrections shall jointly  
8 submit a report concerning the Family Sentencing Alternative Pilot Program, which must  
9 include program outcomes and data related to the efficacy of the program, and which may  
10 include recommendations for legislation in the manner provided by ORS 192.245, to the in-  
11 terim committees of the Legislative Assembly related to the judiciary no later than January  
12 1, 2017.

13       “SECTION 2. (1) In addition to and not in lieu of any other appropriation, there is ap-  
14 propriated to the Department of Corrections, for the biennium beginning July 1, 2015, out  
15 of the General Fund, the amount of \$1,895,450 for the purpose of carrying out the provisions  
16 of section 1 of this 2015 Act.

17       “(2) The Department of Corrections shall use a portion of the moneys appropriated under  
18 subsection (1) of this section to fund a probation officer in each participating county who  
19 will supervise the participants in the program described in section 1 of this 2015 Act. The  
20 remaining appropriated moneys shall be used for program services including, but not limited  
21 to, housing.

22       “SECTION 3. (1) In addition to and not in lieu of any other appropriation, there is ap-  
23 propriated to the Department of Human Services, for the biennium beginning July 1, 2015,  
24 out of the General Fund, the amount of \$104,550 for the purpose of carrying out the pro-  
25 visions of section 1 of this 2015 Act.

26       “(2) Notwithstanding any other law limiting expenditures, the amount of \$44,655 is es-  
27 tablished for the biennium beginning July 1, 2015, as the maximum limit for payment of ex-  
28 penses from federal funds collected or received by the Department of Human Services for the  
29 purpose of carrying out the provisions of section 1 of this 2015 Act.

30       “SECTION 4. Section 1 of this 2015 Act is repealed on July 1, 2025.”.