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HOUSE COMMITTEE ON JUDICIARY

Oregon State Capitol
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AGENDA

Revision 3 Posted: APR 12 05:19 PM

THURSDAY

Date: April 13, 2017
Time: 1:00 P.M.
Room: 343

Please note: The committee will meet at its regular time from 1-3 p.m. and may recess until 5 p.m. if necessary to complete its agenda.

Public Hearing and Work Session

- HB 2251
Provides that person under 18 years of age may not be incarcerated in Department of Corrections institution.
- HB 2614
Allows for blood test to be taken to determine presence of controlled substances or inhalants for purpose of Motorist Implied Consent Law.
- HB 2795
Directs state court administrator to review fees charged by courts and report to committee or interim committee of Legislative Assembly no later than September 1, 2018.
- HB 2797
Directs Oregon Criminal Justice Commission to study effect of fines on recidivism rate and report results to interim committees of Legislative Assembly related to judiciary on or before February 1, 2019.
- HB 2817
Corrects inaccurate reference to definition.
- HB 3266
Provides that no person may use mechanical restraint, chemical restraint, prone restraint, physical restraint or seclusion on student in public education program.
- HB 3438
Directs Oregon Criminal Justice Commission to study reentry services and support and report results to interim committees of Legislative Assembly related to judiciary on or before September 15, 2018.
- HB 3446
Provides that court has authority to enter judgment of conviction for Class A misdemeanor at any time after person has successfully completed sentence of probation if person was convicted of certain Class C felony traffic offenses and court makes certain findings.

For ADA accommodation requests, please email employee.services@oregonlegislature.gov or call 1-800-332-2313.

AGENDA (Cont.) April 13, 2017

HB 3449
Extends sunset, from January 2, 2018, to January 2, 2026, on law authorizing Department of Corrections to enter into contract with public entity in another state for provision of correctional services.

Work Session

- HB 2171 ** **Subsequent Referral(s) to Ways and Means
CARRIED OVER FROM THE 4/12/2017 AGENDA: Requires Oregon Volunteers Commission for Voluntary Action and Service to maintain volunteer staff of court appointed special advocates sufficient to meet statutory requirement to appoint court appointed special advocate in every juvenile dependency proceeding.
- HB 2308
CARRIED OVER FROM THE 4/12/2017 AGENDA: Provides that in calculation of maximum period of commitment for defendant lacking fitness to proceed, defendant must receive credit for each day defendant is held in jail.
- HB 2322
CARRIED OVER FROM THE 4/12/2017 AGENDA: Renames position of State Medical Examiner to Chief Medical Examiner.
- HB 2360
CARRIED OVER FROM THE 4/12/2017 AGENDA: Modifies reporting obligation for sex offenders by requiring report within 10 days following change of residence.
- HB 2472 ** **Subsequent Referral(s) to Ways and Means
CARRIED OVER FROM THE 4/12/2017 AGENDA: Directs State Medical Examiner to assume counties' responsibilities related to death investigations.
- HB 2545
CARRIED OVER FROM THE 4/12/2017 AGENDA: Allows deception detection examination administrator to proctor deception detection examination.
- HB 2597
CARRIED OVER FROM THE 4/12/2017 AGENDA: Renames offense of operating motor vehicle while using mobile communication device as offense of operating motor vehicle while using mobile electronic device.
- HB 2630
CARRIED OVER FROM THE 4/12/2017 AGENDA: Makes changes to Oregon guardianship laws to assure adequate safeguards for respondents and protected persons.
- HB 2633
CARRIED OVER FROM THE 4/12/2017 AGENDA: Expands definition of "sex offender" for purposes of sex offender treatment services.
- HB 2740
CARRIED OVER FROM THE 4/12/2017 AGENDA: Increases age of trafficked person from 15 to 18 for crime of trafficking in persons for use in commercial sex act.
- HB 2793
CARRIED OVER FROM THE 4/12/2017 AGENDA: Decreases penalties for crime of cheating.
- HB 2794
CARRIED OVER FROM THE 4/12/2017 AGENDA: Reduces penalties for crime of possession of gambling records in the second degree.
- HB 2807
CARRIED OVER FROM THE 4/12/2017 AGENDA: Directs State Court Administrator to study most common types of lawsuits brought in Oregon courts and report to appropriate committee or interim committee of Legislative Assembly no later than September 1, 2018.
- HB 2812
CARRIED OVER FROM THE 4/12/2017 AGENDA: Directs Department of Human Services and Oregon Youth Authority to conduct statewide study regarding juveniles no later than July 1, 2018.
- HB 2826
CARRIED OVER FROM THE 4/12/2017 AGENDA: Requires court to impose mandatory minimum sentence of imprisonment if person is convicted of crime of fleeing or attempting to elude police officer under certain circumstances.

AGENDA (Cont.)
April 13, 2017

- HB 2986
CARRIED OVER FROM THE 4/12/2017 AGENDA: Modifies provisions relating to administration of estates.
- HB 3077
CARRIED OVER FROM THE 4/12/2017 AGENDA: Requires court, upon request of crime victim, to order that victim's electronic mail address and social media account identifying information not be given to defendant unless good cause is shown.
- HB 3078 ** **Subsequent Referral(s) to Ways and Means
CARRIED OVER FROM THE 4/12/2017 AGENDA: Modifies eligibility for Family Sentencing Alternative Pilot Program.
- HB 3274
CARRIED OVER FROM THE 4/12/2017 AGENDA: Expands exemption from public records law of records of Office of Small Business Assistance, and directs office to maintain specified records confidentially.
- HB 3279
CARRIED OVER FROM 4/12/2017 AGENDA: Modifies definition of "labor contractor" to include property services contractor.
- HB 3364
CARRIED OVER FROM THE 4/12/2017 AGENDA: Permits payment of up to \$3,000 in emergency assistance over consecutive 12-month period on behalf of child whose parent is victim of domestic violence or at risk for domestic violence.
- HB 3380 ** **Subsequent Referral(s) to Ways and Means
CARRIED OVER FROM THE 4/12/2017 AGENDA: Modifies eligibility for Family Sentencing Alternative Pilot Program.
- HB 2105 ** **Subsequent Referral(s) to Ways and Means
Establishes Department of Corrections Budget Oversight Commission to advise Governor and Director of Department of Corrections, and make recommendations for legislation, regarding management and implementation of biennial budget of department, including employee overtime expenses and health care expenses.
- HB 2217
Creates Falk-Alfano Act.
- HB 2238 ** **Subsequent Referral(s) to Ways and Means
Reduces crime classification of unlawful possession of controlled substance in Schedule I. Punishes by maximum of one year's imprisonment, \$6,250 fine, or both, except in specified circumstances.
- HB 2380
Creates crime of threatening a mass injury event.
- HB 2593
Requires that sexually explicit material involving minor remain in control of law enforcement agency or court throughout criminal proceeding or juvenile delinquency proceeding, provided that material is made reasonably available to defendant.
- HB 2598
Expands offense of vehicular assault to include contact with motorcycle, motorcycle operator or motorcycle passenger.
- HB 2600 ** **Subsequent Referral(s) to Ways and Means
Transfers authority over court appointed special advocates and CASA Volunteer Programs from Oregon Volunteers Commission for Voluntary Action and Service to Oregon Criminal Justice Commission.
- HB 2613
Expands offense of driving while under influence of intoxicants to include any drug that adversely affects person's physical or mental faculties to noticeable or perceptible degree.
- HB 2620
Expands crime of assault in the third degree to include physical injury to person working in hospital while worker is performing official duties.
- HB 2625
Provides that forfeiture petition may be filed for animal impounded pending outcome of animal crime even if specific animal is not named in charging instrument.

AGENDA (Cont.)
April 13, 2017

- HB 2629
Provides that if district attorney presents documentary evidence of medical service charges at restitution hearing, evidence creates rebuttable presumption that charges are reasonable.
- HB 2698
Allows person with other convictions within previous 10 years to file motion to set aside conviction after three years from date of judgment if other convictions were part of same criminal episode as conviction that is subject of motion.
- HB 2732
Provides that person who enters motor vehicle to remove child or animal in imminent danger of suffering harm is not subject to criminal or civil liability if person meets certain requirements.
- HB 2776
Authorizes appointment of guardian for person with disability who is in need of guardianship.
- HB 3049
Provides that person may not operate unmanned aircraft system so that unmanned aircraft system hovers over privately owned premises of another for more than 60 seconds.
- HB 3109
Directs court to include in judgment \$50 warrant service fee when imposing sentence on defendant arrested on warrant.
- HB 3152
Directs Oregon Business Development Department to issue loans or grants to Curry County to construct training facility for public safety personnel.
- HB 3177
Allows seizure, constructive possession and forfeiture of hens and chicks used in connection with cockfighting operation.
- HB 3242
Requires peace officer to electronically record interview with youth when investigating crime, or allegation that youth committed act that if committed by adult would constitute crime.
- HB 3283
Amends findings by Legislative Assembly regarding provision of care and treatment for impounded or seized animals.
- HB 3392
Establishes state policies and judicial practices regarding blindness in individuals who are parents, prospective parents or caretakers of children in domestic relations cases and juvenile dependency proceedings.

Note change: HB 2545, HB 2807, HB 2812, HB 2826, HB 3078, HB 3274, HB 2171, HB 2308, HB 2597, HB 2630, HB 2740, HB 3279, HB 2322, HB 2360, HB 2472, HB 2633, HB 2986, HB 3077, HB 3364, HB 3380, HB 2793 and HB 2794 have been carried over.

Send materials or presentations to the email at the top of the agenda 24 hours in advance of the meeting date.