

Staff:

Channa Newell, Counsel  
Josh Nasbe, Counsel  
Whitney Perez, Counsel  
Mike Reiley, Office Coordinator  
Kristi Arrington, Committee Assistant  
Lindsay Free, Committee Assistant



Members:

Rep. Jeff Barker, Chair  
Rep. Andy Olson, Vice-Chair  
Rep. Jennifer Williamson, Vice-Chair  
Rep. Chris Gorsek  
Rep. Mitch Greenlick  
Rep. Ann Lininger  
Rep. Bill Post  
Rep. Tawna Sanchez  
Rep. Sherrie Sprenger  
Rep. Duane Stark  
Rep. A. Richard Vial

## HOUSE COMMITTEE ON JUDICIARY

Oregon State Capitol  
900 Court Street NE, Room 331, Salem, Oregon 97301  
Phone: 503-986-1750  
Email: [hjud.exhibits@oregonlegislature.gov](mailto:hjud.exhibits@oregonlegislature.gov)

### AGENDA

**Revision 1 Posted: APR 13 05:30 PM**

### FRIDAY

**Date:** April 14, 2017  
**Time:** 1:00 P.M.  
**Room:** HR 343

#### Public Hearing and Work Session

- HB 3266  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Provides that no person may use mechanical restraint, chemical restraint, prone restraint, physical restraint or seclusion on student in public education program.
- HB 3449  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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 2105 \*\* \*\*Subsequent Referral(s) to Ways and Means  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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 2171 \*\* \*\*Subsequent Referral(s) to Ways and Means  
CARRIED OVER FROM THE 4/13/2017 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 2217  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Creates Falk-Alfano Act.
- HB 2238 \*\* \*\*Subsequent Referral(s) to Ways and Means  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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 2308  
CARRIED OVER FROM THE 4/13/2017 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.

For ADA accommodation requests, please email [employee.services@oregonlegislature.gov](mailto:employee.services@oregonlegislature.gov) or call 1-800-332-2313.



**AGENDA (Cont.)**  
**April 14, 2017**

- HB 2698  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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 2740  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Increases age of trafficked person from 15 to 18 for crime of trafficking in persons for use in commercial sex act.
- HB 2776  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Authorizes appointment of guardian for person with disability who is in need of guardianship.
- HB 2793  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Decreases penalties for crime of cheating.
- HB 2794  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Reduces penalties for crime of possession of gambling records in the second degree.
- HB 2807  
CARRIED OVER FROM THE 4/13/2017 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 4/13/2017 AGENDA: Directs Department of Human Services and Oregon Youth Authority to conduct statewide study regarding juveniles no later than July 1, 2018.
- HB 2817  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Corrects inaccurate reference to definition.
- HB 2826  
CARRIED OVER FROM THE 4/13/2017 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.
- HB 2986  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Modifies provisions relating to administration of estates.
- HB 3049  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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 3077  
CARRIED OVER FROM THE 4/13/2017 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 \*\*  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Modifies eligibility for Family Sentencing Alternative Pilot Program. \*\*Subsequent Referral(s) to Ways and Means
- HB 3109  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Directs court to include in judgment \$50 warrant service fee when imposing sentence on defendant arrested on warrant.
- HB 3152  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Directs Oregon Business Development Department to issue loans or grants to Curry County to construct training facility for public safety personnel.
- HB 3177  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Allows seizure, constructive possession and forfeiture of hens and chicks used in connection with cockfighting operation.

**AGENDA (Cont.)**  
**April 14, 2017**

- HB 3242  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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 3274  
CARRIED OVER FROM THE 4/13/2017 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 THE 4/13/2017 AGENDA: Modifies definition of "labor contractor" to include property services contractor.
- HB 3283  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Amends findings by Legislative Assembly regarding provision of care and treatment for impounded or seized animals.
- HB 3364  
CARRIED OVER FROM THE 4/13/2017 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 \*\*  
CARRIED OVER FROM THE 4/13/2017 AGENDA: Modifies eligibility for Family Sentencing Alternative Pilot Program. \*\*Subsequent Referral(s) to Ways and Means
- HB 3392  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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.
- HB 3438  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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  
CARRIED OVER FROM THE 4/13/2017 AGENDA: 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.

***Note change: HB 3266, HB 3449, HB 2105, HB 2171, HB 2217, HB 2238, HB 2308, HB 2322, HB 2360, HB 2380, HB 2472, HB 2545, HB 2593, HB 2597, HB 2598, HB 2600, HB 2613, HB 2614, HB 2620, HB 2625, HB 2629, HB 2630, HB 2633, HB 2698, HB 2732, HB 2740, HB 2776, HB 2793, HB 2794, HB 2807, HB 2812, HB 2817, HB 2826, HB 3049, HB 3109, HB 3152, HB 3177, HB 3242, HB 3283, HB 3392, HB 2986, HB 3077, HB 3078, HB 3274, HB 3279, HB 3364, HB 3380, HB 3438 and HB 3466 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.**