

HB 2238 -1 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 4/4

WHAT THE MEASURE DOES:

Classifies possession of a controlled substance as misdemeanor in certain circumstances. Establishes Task Force on Public Safety. Directs Criminal Justice Commission and Department of Human Services to prepare racial and ethnic impact statement on proposed legislation and ballot measures related to crime and human services, respectively. Continues existing sunset of human services-related impact statements on January 2, 2018.

Declares emergency, effective on passage.

REVENUE: May have revenue impact, but no statement yet issued

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Removes provisions related to the possession of controlled substances. Modifies process applicable to racial and ethnic impact statements by requiring written request from member of each political party on legislation or measure that is related to crime and likely to have an effect on the criminal justice system. Repeals Task Force on Public Safety in 2023.

BACKGROUND:

Under current law, the Oregon Criminal Justice Commission is required to prepare racial and ethnic impact statements, at the request of a legislator from each major political party, on any legislation or ballot measure that may impact the criminal offender population or recipients of human services. These tasks are scheduled to sunset on January 2, 2018. House Bill 2238 makes several changes to this scheme. Under the bill, the Commission is no longer required to receive a request and is instead required to prepare a statement any ballot measure and certain legislation that is related to crime and likely to have an effect on the criminal justice system. House Bill 2238 transfers to the Department of Human Services the obligation to prepare a statement describing the effect of the racial and ethnic composition of recipients of human services, at the request of a legislator from each major political party. This obligation continues to be repealed on January 2, 2018.

In 2013, the Legislative Assembly established the Task Force on Public Safety, consisting of four legislators, two members appointed by the Chief Justice of the Oregon Supreme Court and seven members appointed by the Governor. The Task Force was repealed on the date of the convening of the 2017 Legislative Assembly. House Bill 2238 would revive the Task Force on Public Safety and direct it to study security release and the impact of criminal fines and fees, while also reviewing the Justice Reinvestment Program. House Bill 2238 would repeal this Task Force on the date of the convening of the 2023 Legislative Assembly.