

# D R A F T

## SUMMARY

Removes provision concerning fee paid by person sentenced by court to probation before July 1, 1981, who is subject to supervision by community corrections program.

### A BILL FOR AN ACT

Relating to community corrections; amending ORS 423.570.

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

**SECTION 1.** ORS 423.570 is amended to read:

423.570. (1) A person sentenced to probation or placed by an authority on parole, post-prison supervision or other form of release, subject to supervision by a community corrections program established under ORS 423.500 to 423.560, shall [*be required to*] pay a monthly fee to offset costs of supervising the probation, parole, post-prison supervision or other supervised release.

(2) A person sentenced to probation or placed by an authority on parole, post-prison supervision or other form of release, subject to supervision other than by a community corrections program established under ORS 423.500 to 423.560, may be required by the releasing authority to pay a monthly fee to offset costs of supervising the probation, parole, post-prison supervision or other supervised release.

(3) When a fee is required under subsection (1) of this section, the fee shall be determined and fixed by the releasing authority but [*shall*] **must** be at least \$25, and if the releasing authority fails to establish the amount of a released person's required fee, the fee [*shall*] **must** be \$25.

1 (4) Fees are payable one month following the commencement of probation,  
2 parole, post-prison supervision or other supervised release and at one-month  
3 intervals thereafter. If the released person is supervised under county au-  
4 thority, the county shall collect or provide by contract for the collection of  
5 the fee from the released person and shall retain the fee to be used by the  
6 county for funding of its community corrections program.

7 (5) *[Except in the case of a probation granted by a court before that date,]*  
8 The fee requirements imposed by this section apply beginning July 1, 1981,  
9 to all persons under supervised probation, parole, post-prison supervision or  
10 other form of supervised release pursuant to subsection (1) of this section,  
11 including persons on *[such]* supervised release in this state under any inter-  
12 state agreement. Timely payment of the fee is *[hereby made]* a condition of  
13 *[such]* probation, parole, post-prison supervision or other supervised release.  
14 *[In the case of a probation granted by a court prior to July 1, 1981, the court*  
15 *may amend its order granting probation to provide for payment of the fee.]*

16 (6) In cases of financial hardship or when otherwise advisable in the in-  
17 terest of the released person's rehabilitation:

18 (a) The community corrections manager may waive or reduce the amount  
19 of the fee.

20 (b) The sentencing court may waive or reduce the amount of the fee for  
21 any person whom the court has sentenced to probation. If any of the fee  
22 requirement is reduced by the court, only the court may restore the re-  
23 quirement.

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