

SB 63 STAFF MEASURE SUMMARY

Carrier: Rep. Lininger

House Committee On Judiciary

Action Date: 05/03/17

Action: Do Pass.

Vote: 10-0-1-0

Yeas: 10 - Barker, Gorsek, Lininger, Olson, Post, Sanchez, Sprenger, Stark, Vial, Williamson

Exc: 1 - Greenlick

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Eliminates requirement that Psychiatric Security Review Board (PSRB) or Oregon Health Authority (OHA) provide notice of hearing to committing court and juvenile department. Expands time period, from 15 to 30 days, for PSRB and OHA to provide parties post-hearing, written notice of order entered.

ISSUES DISCUSSED:

- Order announced orally after hearing
- Part-time board members; complex cases

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The majority of persons found guilty except for insanity of a crime are committed to the jurisdiction of the PSRB or OHA. These agencies have custody of these persons and provide for their care, treatment, and supervision. Throughout the period of time the agency exercises jurisdiction, the person may be transferred to or from a state hospital or other secure facility, conditionally released or discharged. These decisions are made at a hearing conducted by the agency at which the person is represented by an attorney and the state is represented by a district attorney or the Department of Justice.

Senate Bill 63 eliminates the obligation of the agency conducting the hearing to provide notice of the hearing to the committing court or juvenile department of the county in which the person was adjudicated. In addition, SB 63 expands the time period, from 15 to 30 days, within which these agencies must provide the person who is the subject of the hearing with written notice of the order that was entered at the hearing.