

# House Bill 3095

Sponsored by Representative KENY-GUYER

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Reduces maximum term of imprisonment for Class A misdemeanor crime from one year to 364 days.

Reduces maximum period of institutionalization or commitment, from one year to 364 days, for youth offender found to have committed act that, if committed by adult, would constitute Class A misdemeanor.

## A BILL FOR AN ACT

Relating to misdemeanor sentences; creating new provisions; and amending ORS 161.615 and 419C.501.

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

**SECTION 1.** ORS 161.615 is amended to read:

161.615. Sentences for misdemeanors shall be for a definite term. The court shall fix the term of imprisonment within the following maximum limitations:

(1) For a Class A misdemeanor, [*1 year*] **364 days**.

(2) For a Class B misdemeanor, 6 months.

(3) For a Class C misdemeanor, 30 days.

(4) For an unclassified misdemeanor, as provided in the statute defining the crime.

**SECTION 2.** ORS 419C.501 is amended to read:

419C.501. (1) The court shall fix the duration of any disposition made pursuant to this chapter and the duration may be for an indefinite period. Any placement in the legal custody of the Department of Human Services or the Oregon Youth Authority under ORS 419C.478 or placement under the jurisdiction of the Psychiatric Security Review Board under ORS 419C.529 shall be for an indefinite period. However, the period of institutionalization or commitment may not exceed:

(a) The period of time specified in the statute defining the crime for an act that would constitute an unclassified misdemeanor if committed by an adult;

(b) Thirty days for an act that would constitute a Class C misdemeanor if committed by an adult;

(c) Six months for an act that would constitute a Class B misdemeanor if committed by an adult;

(d) [*One year*] **Three hundred sixty-four days** for an act that would constitute a Class A misdemeanor if committed by an adult;

(e) Five years for an act that would constitute a Class C felony if committed by an adult;

(f) Ten years for an act that would constitute a Class B felony if committed by an adult;

(g) Twenty years for an act that would constitute a Class A felony if committed by an adult; and

(h) Life for a young person who was found to have committed an act that, if committed by an adult would constitute murder or any aggravated form of murder under ORS 163.095 or 163.115.

(2) Except as provided in subsection (1)(h) of this section, the period of any disposition may not extend beyond the date on which the young person or youth offender becomes 25 years of age.

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1        **SECTION 3.** (1) The amendments to ORS 161.615 by section 1 of this 2017 Act apply to  
2 sentences imposed on or after the effective date of this 2017 Act.

3        (2) The amendments to ORS 419C.501 by section 2 of this 2017 Act apply to findings that  
4 a youth offender is within the jurisdiction of the court under ORS 419C.005 that are made  
5 on or after the effective date of this 2017 Act.  
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