

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
SENATE BILL 716**

1 In line 2 of the printed bill, after the semicolon delete the rest of the line
2 and insert “creating new provisions; and amending ORS 161.615 and
3 419C.501.”.

4 Delete lines 4 through 12 and insert:

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

6 “161.615. Sentences for misdemeanors shall be for a definite term. The
7 court shall fix the term of imprisonment within the following maximum
8 limitations:

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

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

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

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

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

15 “419C.501. (1) The court shall fix the duration of any disposition made
16 pursuant to this chapter and the duration may be for an indefinite period.
17 Any placement in the legal custody of the Department of Human Services
18 or the Oregon Youth Authority under ORS 419C.478 or placement under the
19 jurisdiction of the Psychiatric Security Review Board under ORS 419C.529
20 shall be for an indefinite period. However, the period of institutionalization
21 or commitment may not exceed:

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

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

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

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

10 “(e) Five years for an act that would constitute a Class C felony if com-
11 mitted by an adult;

12 “(f) Ten years for an act that would constitute a Class B felony if com-
13 mitted by an adult;

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

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

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

22 **“SECTION 3. (1) The amendments to ORS 161.615 by section 1 of this**
23 **2017 Act apply to sentences imposed on or after the effective date of**
24 **this 2017 Act.**

25 **“(2) The amendments to ORS 419C.501 by section 2 of this 2017 Act**
26 **apply to findings that a youth offender is within the jurisdiction of the**
27 **court under ORS 419C.005 that are made on or after the effective date**
28 **of this 2017 Act.”.**

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