

Requested by Representative KOTEK

**PROPOSED AMENDMENTS TO
HOUSE BILL 3078**

1 On page 1 of the printed bill, line 3, after the semicolon delete the rest
2 of the line and delete line 4 and insert “repealing section 16, chapter 649,
3 Oregon Laws 2013; and declaring an emergency.”.

4 Delete lines 6 through 24 and delete pages 2 through 7 and insert:

5 **“SECTION 1. Sections 7 to 11 of this 2017 Act, the amendments to**
6 **ORS 137.717 and 421.168 and section 1, chapter 830, Oregon Laws 2015,**
7 **by sections 2, 4, 5 and 6 of this 2017 Act and the repeal of section 16,**
8 **chapter 649, Oregon Laws 2013, by section 3 of this 2017 Act shall be**
9 **known and may be cited as the Safety and Savings Act.**

10

11 **“FAMILY SENTENCING ALTERNATIVE PILOT PROGRAM**

12

13 **“SECTION 2. Section 1, chapter 830, Oregon Laws 2015, is amended to**
14 **read:**

15 **“Sec. 1. (1)** The Department of Corrections, in partnership with the cir-
16 **cuit court and county community corrections agencies of participating**
17 **counties and the Department of Human Services, shall establish the Family**
18 **Sentencing Alternative Pilot Program.**

19 **“(2)** A defendant is eligible for the Family Sentencing Alternative Pilot
20 **Program if:**

21 **“(a)** The defendant’s presumptive sentence under the sentencing guidelines

1 of the Oregon Criminal Justice Commission is a term of imprisonment in the
2 legal and physical custody of the Department of Corrections of at least one
3 year;

4 “(b) The defendant [*has not previously been convicted of, and*] is not cur-
5 rently being sentenced for:

6 “(A) A person felony as defined in the rules of the Oregon Criminal Jus-
7 tice Commission;

8 “(B) A sex crime as defined in ORS [*181.805*] **163A.005**; or

9 “(C) An offense requiring a specified sentence under ORS 137.635, 137.700,
10 137.707, 164.061, 475.907, 475.925, 475.930 or [*813.010*] **813.011**; and

11 “(c) The defendant is **pregnant at the time of sentencing, or is** the
12 parent or legal guardian of a minor child and **at the time of the offense**
13 **or sentencing** had physical custody of the child [*at the time of the offense*].

14 “(3)(a) If the defendant meets the eligibility requirements described in
15 subsection (2) of this section and [*receives*] **is eligible for** a downward dis-
16 positional departure under the rules of the Oregon Criminal Justice Com-
17 mission, the court may order that the defendant sign a release authorizing
18 the Department of Human Services to provide the community corrections
19 agency with written confirmation of, and consultation concerning, any open
20 or current juvenile dependency proceeding or any prior substantiated
21 allegation of abuse or neglect involving the defendant and a minor child.

22 “(b) **The court may consider eligibility in the Family Sentencing**
23 **Alternative Pilot Program as a mitigating factor when determining**
24 **whether to sentence the defendant to probation, with a requirement**
25 **that the defendant participate in the program as a condition of pro-**
26 **bation, as a downward dispositional departure under the rules of the**
27 **commission.**

28 “(4) After receipt of the information described in subsection (3) of this
29 section, the community corrections agency, in consultation with the Depart-
30 ment of Human Services, shall determine if the Family Sentencing Alterna-

1 tive Pilot Program is an appropriate program for the defendant and, if the
2 program is appropriate **and the defendant is sentenced to a term of**
3 **probation**, require participation in the program for the first 12 months of
4 the probationary sentence. In addition to the conditions of probation ordered
5 under ORS 137.540, the defendant may be required to comply with any addi-
6 tional conditions related to the program, including but not limited to:

7 “(a) Geographical restrictions, including house arrest and electronic sur-
8 veillance;

9 “(b) Participation in vocational training; and

10 “(c) Completion of:

11 “(A) Parenting skills classes;

12 “(B) Drug or alcohol treatment;

13 “(C) Mental health treatment; or

14 “(D) Life skills classes.

15 “(5) The Department of Human Services and community corrections
16 agencies shall cooperate with the Department of Corrections in implementing
17 the Family Sentencing Alternative Pilot Program described in this section.

18 “(6) The Department of Human Services and the Department of Cor-
19 rections shall jointly submit a report concerning the Family Sentencing Al-
20 ternative Pilot Program, which must include program outcomes and data
21 related to the efficacy of the program, and which may include recommen-
22 dations for legislation in the manner provided by ORS 192.245, to the interim
23 committees of the Legislative Assembly related to the judiciary no later than
24 January 1[, 2017] **of each year.**

25 “(7) **The Department of Corrections shall establish a process for**
26 **selecting counties to participate in the Family Sentencing Alternative**
27 **Pilot Program.**

28 “(8) **The Department of Corrections and the Department of Human**
29 **Services may adopt rules to carry out the provisions of this section.**

30

1 of law that prohibits release on any form of temporary leave from custody.

2

3 **“SENTENCING AND SUPERVISION FOR PROPERTY OFFENSES**

4

5 **“SECTION 5.** ORS 137.717 is amended to read:

6 “137.717. (1) When a court sentences a person convicted of:

7 “(a) Aggravated theft in the first degree under ORS 164.057, burglary in
8 the first degree under ORS 164.225 or aggravated identity theft under ORS
9 165.803, the presumptive sentence is 24 months of incarceration, unless the
10 rules of the Oregon Criminal Justice Commission prescribe a longer
11 presumptive sentence, if the person has:

12 “(A) A previous conviction for aggravated theft in the first degree under
13 ORS 164.057, burglary in the first degree under ORS 164.225, robbery in the
14 third degree under ORS 164.395, robbery in the second degree under ORS
15 164.405, robbery in the first degree under ORS 164.415 or aggravated identity
16 theft under ORS 165.803;

17 “(B) Two or more previous convictions for any combination of the crimes
18 listed in subsection (2) of this section; or

19 “(C) A previous conviction for a crime listed in subsection (2) of this
20 section, if the current crime of conviction was committed while the defendant
21 was on supervision for the previous conviction or less than three years after
22 the date the defendant completed the period of supervision for the previous
23 conviction.

24 “(b) [*Theft in the first degree under ORS 164.055,*] Unauthorized use of a
25 vehicle under ORS 164.135, mail theft or receipt of stolen mail under ORS
26 164.162, burglary in the second degree under ORS 164.215, criminal mischief
27 in the first degree under ORS 164.365, computer crime under ORS 164.377,
28 robbery in the third degree under ORS 164.395, forgery in the first degree
29 under ORS 165.013, criminal possession of a forged instrument in the first
30 degree under ORS 165.022, fraudulent use of a credit card under ORS 165.055

1 (4)(b), [*identity theft under ORS 165.800,*] possession of a stolen vehicle under
2 ORS 819.300 or trafficking in stolen vehicles under ORS 819.310, the
3 presumptive sentence is 18 months of incarceration, unless the rules of the
4 Oregon Criminal Justice Commission prescribe a longer presumptive sen-
5 tence, if the person has:

6 “(A) A previous conviction for aggravated theft in the first degree under
7 ORS 164.057, unauthorized use of a vehicle under ORS 164.135, burglary in
8 the first degree under ORS 164.225, robbery in the third degree under ORS
9 164.395, robbery in the second degree under ORS 164.405, robbery in the first
10 degree under ORS 164.415, possession of a stolen vehicle under ORS 819.300,
11 trafficking in stolen vehicles under ORS 819.310 or aggravated identity theft
12 under ORS 165.803;

13 “(B) Two or more previous convictions for any combination of the crimes
14 listed in subsection (2) of this section; or

15 “(C) A previous conviction for a crime listed in subsection (2) of this
16 section, if the current crime of conviction was committed while the defendant
17 was on supervision for the previous conviction or less than three years after
18 the date the defendant completed the period of supervision for the previous
19 conviction.

20 “(c) **Theft in the first degree under ORS 164.055 or identity theft**
21 **under ORS 165.800, the presumptive sentence is 13 months of incar-**
22 **ceration, unless the rules of the Oregon Criminal Justice Commission**
23 **prescribe a longer presumptive sentence, if the person has:**

24 “(A) **A previous conviction for aggravated theft in the first degree**
25 **under ORS 164.057, unauthorized use of a vehicle under ORS 164.135,**
26 **burglary in the first degree under ORS 164.225, robbery in the second**
27 **degree under ORS 164.405, robbery in the first degree under ORS**
28 **164.415, possession of a stolen vehicle under ORS 819.300, trafficking in**
29 **stolen vehicles under ORS 819.310 or aggravated identity theft under**
30 **ORS 165.803; or**

1 **“(B) Four or more previous convictions for any combination of**
2 **crimes listed in subsection (2) of this section.**

3 “(2) The crimes to which subsection (1) of this section applies are:

4 “(a) Theft in the second degree under ORS 164.045;

5 “(b) Theft in the first degree under ORS 164.055;

6 “(c) Aggravated theft in the first degree under ORS 164.057;

7 “(d) Unauthorized use of a vehicle under ORS 164.135;

8 “(e) Mail theft or receipt of stolen mail under ORS 164.162;

9 “(f) Burglary in the second degree under ORS 164.215;

10 “(g) Burglary in the first degree under ORS 164.225;

11 “(h) Criminal mischief in the second degree under ORS 164.354;

12 “(i) Criminal mischief in the first degree under ORS 164.365;

13 “(j) Computer crime under ORS 164.377;

14 “(k) Forgery in the second degree under ORS 165.007;

15 “(L) Forgery in the first degree under ORS 165.013;

16 “(m) Criminal possession of a forged instrument in the second degree un-
17 der ORS 165.017;

18 “(n) Criminal possession of a forged instrument in the first degree under
19 ORS 165.022;

20 “(o) Fraudulent use of a credit card under ORS 165.055;

21 “(p) Identity theft under ORS 165.800;

22 “(q) Possession of a stolen vehicle under ORS 819.300;

23 “(r) Trafficking in stolen vehicles under ORS 819.310; and

24 “(s) Any attempt to commit a crime listed in this subsection.

25 “(3)(a) A presumptive sentence described in subsection (1)(a) or (b) of this
26 section shall be increased by two months for each previous conviction the
27 person has that:

28 “(A) Was for any of the crimes listed in subsection (1) or (2) of this sec-
29 tion; and

30 “(B) Was not used as a predicate for the presumptive sentence described

1 in subsection (1)(a) **or** (b) of this section.

2 “(b) Previous convictions may not increase a presumptive sentence de-
3 scribed in subsection (1)(a) **or** (b) of this section by more than 12 months
4 under this subsection.

5 “(4) The court may impose a sentence other than the sentence provided
6 by subsection (1) or (3) of this section if the court imposes:

7 “(a) A longer term of incarceration that is otherwise required or author-
8 ized by law; or

9 “(b) A departure sentence authorized by the rules of the Oregon Criminal
10 Justice Commission based upon findings of substantial and compelling rea-
11 sons. Unless the law or the rules of the Oregon Criminal Justice Commission
12 allow for imposition of a longer sentence, the maximum departure allowed
13 for a person sentenced under this subsection is double the presumptive sen-
14 tence provided in subsection (1) or (3) of this section.

15 “(5) Notwithstanding subsection (4)(b) of this section, the court may not
16 sentence a person under subsection (4) of this section to a term of incarcer-
17 ation that exceeds the period of time described in ORS 161.605.

18 “(6) The court shall sentence a person under this section to at least the
19 presumptive sentence described in subsection (1)(a) **or** (b) or (3) of this sec-
20 tion, unless the parties stipulate otherwise or the court finds that:

21 “(a) The person was not on probation, parole or post-prison supervision
22 for a crime listed in subsection (1) of this section at the time of the com-
23 mission of the current crime of conviction;

24 “(b) The person has not previously received a downward departure from
25 a presumptive sentence for a crime listed in subsection (1) of this section;

26 “(c) The harm or loss caused by the crime is not greater than usual for
27 that type of crime; and

28 “(d) In consideration of the nature of the offense and the harm to the
29 victim, a downward departure will:

30 “(A) Increase public safety;

1 “(B) Enhance the likelihood that the person will be rehabilitated; and

2 “(C) Not unduly reduce the appropriate punishment.

3 **“(7) When the court imposes a sentence of probation for a con-**
4 **viction for theft in the first degree or identity theft or under sub-**
5 **section (6) of this section, the supervisory authority as defined in ORS**
6 **144.087 may require the person to receive a high level of supervision**
7 **for at least 12 months, and may extend the period of high-level**
8 **supervision for all or part of the remaining probationary term.**

9 “[~~(7)(a)~~] **(8)(a)** For a crime committed on or after November 1, 1989, a
10 conviction is considered to have occurred upon the pronouncement of sen-
11 tence in open court. However, when sentences are imposed for two or more
12 convictions arising out of the same conduct or criminal episode, none of the
13 convictions is considered to have occurred prior to any of the other con-
14 victions arising out of the same conduct or criminal episode.

15 “(b) For a crime committed prior to November 1, 1989, a conviction is
16 considered to have occurred upon the pronouncement in open court of a
17 sentence or upon the pronouncement in open court of the suspended imposi-
18 tion of a sentence.

19 “[~~(8)~~] **(9)** For purposes of this section, previous convictions must be
20 proven pursuant to ORS 137.079.

21 “[~~(9)~~] **(10)** As used in this section:

22 “(a) ‘Downward departure’ means a downward dispositional departure or
23 a downward durational departure under the rules of the Oregon Criminal
24 Justice Commission.

25 “(b) ‘Previous conviction’ includes:

26 “(A) Convictions occurring before, on or after July 1, 2003; and

27 “(B) Convictions entered in any other state or federal court for compa-
28 rable offenses.

29 **“SECTION 6.** ORS 137.717, as amended by section 7, chapter 649, Oregon
30 Laws 2013, is amended to read:

1 “137.717. (1) When a court sentences a person convicted of:

2 “(a) Aggravated theft in the first degree under ORS 164.057, burglary in
3 the first degree under ORS 164.225, robbery in the third degree under ORS
4 164.395[*identity theft under ORS 165.800*] or aggravated identity theft under
5 ORS 165.803, the presumptive sentence is 24 months of incarceration, unless
6 the rules of the Oregon Criminal Justice Commission prescribe a longer
7 presumptive sentence, if the person has:

8 “(A) A previous conviction for aggravated theft in the first degree under
9 ORS 164.057, burglary in the first degree under ORS 164.225, robbery in the
10 third degree under ORS 164.395, robbery in the second degree under ORS
11 164.405, robbery in the first degree under ORS 164.415 or aggravated identity
12 theft under ORS 165.803;

13 “(B) Two or more previous convictions for any combination of the crimes
14 listed in subsection (2) of this section; or

15 “(C) A previous conviction for a crime listed in subsection (2) of this
16 section, if the current crime of conviction was committed while the defendant
17 was on supervision for the previous conviction or less than three years after
18 the date the defendant completed the period of supervision for the previous
19 conviction.

20 “(b) [*Theft in the first degree under ORS 164.055,*] Unauthorized use of a
21 vehicle under ORS 164.135, mail theft or receipt of stolen mail under ORS
22 164.162, burglary in the second degree under ORS 164.215, criminal mischief
23 in the first degree under ORS 164.365, computer crime under ORS 164.377,
24 forgery in the first degree under ORS 165.013, criminal possession of a forged
25 instrument in the first degree under ORS 165.022, fraudulent use of a credit
26 card under ORS 165.055 (4)(b), possession of a stolen vehicle under ORS
27 819.300 or trafficking in stolen vehicles under ORS 819.310, the presumptive
28 sentence is 18 months of incarceration, unless the rules of the Oregon
29 Criminal Justice Commission prescribe a longer presumptive sentence, if the
30 person has:

1 “(A) A previous conviction for aggravated theft in the first degree under
2 ORS 164.057, unauthorized use of a vehicle under ORS 164.135, burglary in
3 the first degree under ORS 164.225, robbery in the third degree under ORS
4 164.395, robbery in the second degree under ORS 164.405, robbery in the first
5 degree under ORS 164.415, possession of a stolen vehicle under ORS 819.300,
6 trafficking in stolen vehicles under ORS 819.310 or aggravated identity theft
7 under ORS 165.803;

8 “(B) Two or more previous convictions for any combination of the crimes
9 listed in subsection (2) of this section; or

10 “(C) A previous conviction for a crime listed in subsection (2) of this
11 section, if the current crime of conviction was committed while the defendant
12 was on supervision for the previous conviction or less than three years after
13 the date the defendant completed the period of supervision for the previous
14 conviction.

15 **“(c) Theft in the first degree under ORS 164.055 or identity theft
16 under ORS 165.800, the presumptive sentence is 13 months of incar-
17 ceration, unless the rules of the Oregon Criminal Justice Commission
18 prescribe a longer presumptive sentence, if the person has:**

19 **“(A) A previous conviction for aggravated theft in the first degree
20 under ORS 164.057, unauthorized use of a vehicle under ORS 164.135,
21 burglary in the first degree under ORS 164.225, robbery in the second
22 degree under ORS 164.405, robbery in the first degree under ORS
23 164.415, possession of a stolen vehicle under ORS 819.300, trafficking in
24 stolen vehicles under ORS 819.310 or aggravated identity theft under
25 ORS 165.803; or**

26 **“(B) Four or more previous convictions for any combination of
27 crimes listed in subsection (2) of this section.**

28 “(2) The crimes to which subsection (1) of this section applies are:

29 “(a) Theft in the second degree under ORS 164.045;

30 “(b) Theft in the first degree under ORS 164.055;

1 “(c) Aggravated theft in the first degree under ORS 164.057;
2 “(d) Unauthorized use of a vehicle under ORS 164.135;
3 “(e) Mail theft or receipt of stolen mail under ORS 164.162;
4 “(f) Burglary in the second degree under ORS 164.215;
5 “(g) Burglary in the first degree under ORS 164.225;
6 “(h) Criminal mischief in the second degree under ORS 164.354;
7 “(i) Criminal mischief in the first degree under ORS 164.365;
8 “(j) Computer crime under ORS 164.377;
9 “(k) Forgery in the second degree under ORS 165.007;
10 “(L) Forgery in the first degree under ORS 165.013;
11 “(m) Criminal possession of a forged instrument in the second degree un-
12 der ORS 165.017;
13 “(n) Criminal possession of a forged instrument in the first degree under
14 ORS 165.022;
15 “(o) Fraudulent use of a credit card under ORS 165.055;
16 “(p) Identity theft under ORS 165.800;
17 “(q) Possession of a stolen vehicle under ORS 819.300;
18 “(r) Trafficking in stolen vehicles under ORS 819.310; and
19 “(s) Any attempt to commit a crime listed in this subsection.
20 “(3)(a) A presumptive sentence described in subsection (1)(a) **or** (b) of this
21 section shall be increased by two months for each previous conviction the
22 person has that:
23 “(A) Was for any of the crimes listed in subsection (1) or (2) of this sec-
24 tion; and
25 “(B) Was not used as a predicate for the presumptive sentence described
26 in subsection (1)(a) **or** (b) of this section.
27 “(b) Previous convictions may not increase a presumptive sentence de-
28 scribed in subsection (1)(a) **or** (b) of this section by more than 12 months
29 under this subsection.
30 “(4) The court may impose a sentence other than the sentence provided

1 by subsection (1) or (3) of this section if the court imposes:

2 “(a) A longer term of incarceration that is otherwise required or author-
3 ized by law; or

4 “(b) A departure sentence authorized by the rules of the Oregon Criminal
5 Justice Commission based upon findings of substantial and compelling rea-
6 sons. Unless the law or the rules of the Oregon Criminal Justice Commission
7 allow for imposition of a longer sentence, the maximum departure allowed
8 for a person sentenced under this subsection is double the presumptive sen-
9 tence provided in subsection (1) or (3) of this section.

10 “(5) Notwithstanding subsection (4)(b) of this section, the court may not
11 sentence a person under subsection (4) of this section to a term of incarcer-
12 ation that exceeds the period of time described in ORS 161.605.

13 “(6) The court shall sentence a person under this section to at least the
14 presumptive sentence described in subsection (1)(a) or (b) or (3) of this sec-
15 tion, unless the parties stipulate otherwise or the court finds that:

16 “(a) The person was not on probation, parole or post-prison supervision
17 for a crime listed in subsection (1) of this section at the time of the com-
18 mission of the current crime of conviction;

19 “(b) The person has not previously received a downward departure from
20 a presumptive sentence for a crime listed in subsection (1) of this section;

21 “(c) The harm or loss caused by the crime is not greater than usual for
22 that type of crime; and

23 “(d) In consideration of the nature of the offense and the harm to the
24 victim, a downward departure will:

25 “(A) Increase public safety;

26 “(B) Enhance the likelihood that the person will be rehabilitated; and

27 “(C) Not unduly reduce the appropriate punishment.

28 “(7) **When the court imposes a sentence of probation for a con-**
29 **viction for theft in the first degree or identity theft or under sub-**
30 **section (6) of this section, the supervisory authority as defined in ORS**

1 **144.087 may require the person to receive a high level of supervision**
2 **for at least 12 months, and may extend the period of high-level**
3 **supervision for all or part of the remaining probationary term.**

4 “[~~(7)(a)~~] **(8)(a)** For a crime committed on or after November 1, 1989, a
5 conviction is considered to have occurred upon the pronouncement of sen-
6 tence in open court. However, when sentences are imposed for two or more
7 convictions arising out of the same conduct or criminal episode, none of the
8 convictions is considered to have occurred prior to any of the other con-
9 victions arising out of the same conduct or criminal episode.

10 “(b) For a crime committed prior to November 1, 1989, a conviction is
11 considered to have occurred upon the pronouncement in open court of a
12 sentence or upon the pronouncement in open court of the suspended imposi-
13 tion of a sentence.

14 “[~~(8)~~] **(9)** For purposes of this section, previous convictions must be
15 proven pursuant to ORS 137.079.

16 “[~~(9)~~] **(10)** As used in this section:

17 “(a) ‘Downward departure’ means a downward dispositional departure or
18 a downward durational departure under the rules of the Oregon Criminal
19 Justice Commission.

20 “(b) ‘Previous conviction’ includes:

21 “(A) Convictions occurring before, on or after July 1, 2003; and

22 “(B) Convictions entered in any other state or federal court for compa-
23 rable offenses.

24

25 **“APPROPRIATIONS**

26

27 **“SECTION 7. In addition to and not in lieu of any other appropri-**
28 **ation, there is appropriated to the Department of Corrections, for the**
29 **biennium beginning July 1, 2017, out of the General Fund, the amount**
30 **of \$_____ for the purposes of funding the Family Sentencing Alterna-**

1 tive Pilot Program described in section 1, chapter 830, Oregon Laws
2 2015, and increasing the number of counties participating in the pro-
3 gram.

4 **“SECTION 8. (1) In addition to and not in lieu of any other appro-**
5 **priation, there is appropriated to the Department of Human Services,**
6 **for the biennium beginning July 1, 2017, out of the General Fund, the**
7 **amount of \$_____ for the purposes of funding the Family Sentencing**
8 **Alternative Pilot Program described in section 1, chapter 830, Oregon**
9 **Laws 2015, and increasing the number of counties participating in the**
10 **program.**

11 **“(2) Notwithstanding any other law limiting expenditures, the**
12 **amount of \$_____ is established for the biennium beginning July 1,**
13 **2017, as the maximum limit for payment of expenses from federal**
14 **funds collected or received by the Department of Human Services for**
15 **the purposes of funding the Family Sentencing Alternative Pilot Pro-**
16 **gram described in section 1, chapter 830, Oregon Laws 2015, and in-**
17 **creasing the number of counties participating in the program.**

18 **“SECTION 9. In addition to and not in lieu of any other appropri-**
19 **ation, there is appropriated to the Oregon Criminal Justice Commis-**
20 **sion, for the biennium beginning July 1, 2017, out of the General Fund,**
21 **the amount of \$_____, to be deposited in the Justice Reinvestment**
22 **Account described in section 52, chapter 649, Oregon Laws 2013, and**
23 **expended for the purposes of the Justice Reinvestment Program de-**
24 **scribed in section 53, chapter 649, Oregon Laws 2013.**

25 **“SECTION 10. In addition to and not in lieu of any other appropri-**
26 **ation, there is appropriated to the Department of Justice, for the**
27 **biennium beginning July 1, 2017, out of the General Fund, the amount**
28 **of \$_____, to be deposited in the Oregon Domestic and Sexual Violence**
29 **Services Fund described in ORS 147.453 and expended as described in**
30 **ORS 147.450 to 147.471.**

1 **“REPORT TO LEGISLATIVE ASSEMBLY**

2

3 **“SECTION 11. The Oregon Criminal Justice Commission shall study**
4 **the impact of this 2017 Act on prison utilization, recidivism and public**
5 **safety, and report the results of the study to the interim committees**
6 **of the Legislative Assembly related to the judiciary in the manner**
7 **provided in ORS 192.245, no later than February 1 of each year.**

8

9 **“MISCELLANEOUS PROVISIONS**

10

11 **“SECTION 12. The unit captions used in this 2017 Act are provided**
12 **only for the convenience of the reader and do not become part of the**
13 **statutory law of this state or express any legislative intent in the**
14 **enactment of this 2017 Act.**

15 **“SECTION 13. The amendments to ORS 137.717 and 421.168 by**
16 **sections 4 and 5 of this 2017 Act and the repeal of section 16, chapter**
17 **649, Oregon Laws 2013, by section 3 of this 2017 Act become operative**
18 **on January 1, 2018.**

19 **“SECTION 14. (1) The amendments to section 1, chapter 830, Oregon**
20 **Laws 2015, by section 2 of this 2017 Act apply to sentences imposed on**
21 **or after the effective date of this 2017 Act.**

22 **“(2) The amendments to ORS 137.717 and 421.168 by sections 4 and**
23 **5 of this 2017 Act apply to sentences imposed on or after January 1,**
24 **2018.**

25 **“(3) The amendments to ORS 137.717 by section 6 of this 2017 Act**
26 **apply to sentences imposed on or after July 1, 2023.**

27 **“SECTION 15. Section 11 of this 2017 Act is repealed on January 2,**
28 **2028.**

29 **“SECTION 16. This 2017 Act being necessary for the immediate**
30 **preservation of the public peace, health and safety, an emergency is**

1 **declared to exist, and this 2017 Act takes effect on its passage.”.**

2
