

**A-Engrossed**  
**Senate Bill 1002**

Ordered by the Senate May 14  
Including Senate Amendments dated May 14

Sponsored by COMMITTEE ON JUDICIARY

**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.

*[Directs Oregon Criminal Justice Commission to conduct study on relationship between recidivism rates and length of prison sentences and present report on findings to interim committees of Legislative Assembly related to judiciary on or before September 15, 2020.]*

*[Sunsets January 2, 2021.]*

**Prohibits prosecuting attorney from conditioning defendant's plea offer on waiver of eligibility for transitional leave or certain sentence reductions.**

**A BILL FOR AN ACT**

1  
2 Relating to sentencing; creating new provisions; and amending section 2, chapter 37, Oregon Laws  
3 2018.

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

5 **SECTION 1.** Section 2, chapter 37, Oregon Laws 2018, is amended to read:

6 **Sec. 2.** (1) A prosecuting attorney may not condition a defendant's plea offer on:

7 (a) The defendant's waiver of:

8 (A) The disclosure obligation of ORS 135.815 (1)(g).

9 (B) The ability to receive the audio recording of grand jury proceedings as permitted under ORS  
10 132.270, if the indictment has been indorsed "a true bill."

11 **(C) Eligibility for transitional leave under ORS 421.168.**

12 **(D) Eligibility for a reduction in the term of incarceration under ORS 421.120 or 421.121.**

13 (b) A requirement that the defendant or the defense attorney stipulate to the unconstitutionality  
14 of an existing law.

15 (2)(a) A plea agreement may not contain a provision prohibited by subsection (1) of this section.

16 (b) A prohibited provision described in subsection (1) of this section in a plea agreement is  
17 contrary to public policy and is void and unenforceable.

18 **SECTION 2.** The amendments to section 2, chapter 37, Oregon Laws 2018, by section 1  
19 of this 2019 Act apply to plea agreements entered into on or after the effective date of this  
20 2019 Act.

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**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.