

# D R A F T

## SUMMARY

Provides that person sentenced to mandatory minimum sentence under Ballot Measure 11 (1994), for crime other than murder, who has not been previously sentenced under measure is eligible for reduction in sentence for appropriate institutional behavior and participation in certain programming unless otherwise ordered by court for substantial and compelling reasons.

Creates procedure by which sentencing court may enter supplemental judgment authorizing persons currently serving sentences under Ballot Measure 11 (1994) who were not previously sentenced under measure to be eligible for reduction in sentence for appropriate institutional behavior and participation in certain programming.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to sentencing; creating new provisions; amending ORS 137.700, 137.707 and 421.121; prescribing an effective date; and providing for criminal sentence reduction that requires approval by a two-thirds majority.

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

## MEASURE 11 SENTENCE REDUCTIONS FOR CERTAIN OFFENDERS

**SECTION 1.** ORS 137.700 is amended to read:

137.700. (1)(a) Notwithstanding ORS 161.605, when a person is convicted of one of the offenses listed in subsection (2)(a) of this section and the offense was committed on or after April 1, 1995, or of one of the offenses listed in subsection (2)(b) of this section and the offense was committed on or after October 4, 1997, or of the offense described in subsection (2)(c) of this section and the offense was committed on or after January 1, 2008, the court shall

1 impose, and the person shall serve, at least the entire term of imprisonment  
2 listed in subsection (2) of this section. The person is not, during the service  
3 of the term of imprisonment, eligible for release on post-prison supervision  
4 or any form of temporary leave from custody. The person is not eligible for  
5 any reduction in[, or based on,] the minimum sentence for any reason what-  
6 soever under ORS 421.121 or any other statute. The court may impose a  
7 greater sentence if otherwise permitted by law, but may not impose a lower  
8 sentence than the sentence specified in subsection (2) of this section.

9 **(b) Notwithstanding paragraph (a) of this subsection, when a person**  
10 **is convicted of one of the offenses listed in subsection (2)(a)(C) to (S),**  
11 **(b) or (c) of this section and the person has not previously been sen-**  
12 **tenced under this section or ORS 137.707 or 137.712, the court shall**  
13 **impose the sentence described in paragraph (a) of this subsection, ex-**  
14 **cept that the person is eligible for a reduction in the minimum sen-**  
15 **tence under ORS 421.121 unless the court orders otherwise under ORS**  
16 **137.750.**

17 (2) The offenses to which subsection (1) of this section applies and the  
18 applicable mandatory minimum sentences are:

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- 20 (a)(A) Murder in the second
  - 21 degree, as defined in
  - 22 ORS 163.115.....300 months
  - 23 (B) Murder in the first
  - 24 degree, as defined
  - 25 in ORS 163.107.....360 months
  - 26 (C) Attempt or conspiracy
  - 27 to commit aggravated
  - 28 murder, as defined
  - 29 in ORS 163.095.....120 months
  - 30 (D) Attempt or conspiracy
  - 31 to commit murder

- 1 in any degree .....90 months
- 2 (E) Manslaughter in the
- 3 first degree, as defined
- 4 in ORS 163.118.....120 months
- 5 (F) Manslaughter in the
- 6 second degree, as defined
- 7 in ORS 163.125.....75 months
- 8 (G) Assault in the first
- 9 degree, as defined in
- 10 ORS 163.185.....90 months
- 11 (H) Assault in the second
- 12 degree, as defined in
- 13 ORS 163.175.....70 months
- 14 (I) Except as provided in
- 15 paragraph (b)(G) of
- 16 this subsection,
- 17 kidnapping in the first
- 18 degree, as defined
- 19 in ORS 163.235.....90 months
- 20 (J) Kidnapping in the second
- 21 degree, as defined in
- 22 ORS 163.225.....70 months
- 23 (K) Rape in the first degree,
- 24 as defined in ORS 163.375
- 25 (1)(a), (c) or (d).....100 months
- 26 (L) Rape in the second degree,
- 27 as defined in
- 28 ORS 163.365.....75 months
- 29 (M) Sodomy in the first degree,
- 30 as defined in ORS 163.405
- 31 (1)(a), (c) or (d).....100 months

- 1 (N) Sodomy in the second
- 2 degree, as defined in
- 3 ORS 163.395.....75 months
- 4 (O) Unlawful sexual penetration
- 5 in the first degree, as
- 6 defined in ORS 163.411
- 7 (1)(a) or (c).....100 months
- 8 (P) Unlawful sexual penetration
- 9 in the second degree, as
- 10 defined in ORS 163.408. ....75 months
- 11 (Q) Sexual abuse in the first
- 12 degree, as defined in
- 13 ORS 163.427.....75 months
- 14 (R) Robbery in the first degree,
- 15 as defined in
- 16 ORS 164.415.....90 months
- 17 (S) Robbery in the second
- 18 degree, as defined in
- 19 ORS 164.405.....70 months
- 20 (b)(A) Arson in the first degree,
- 21 as defined in ORS 164.325,
- 22 when the offense represented
- 23 a threat of serious
- 24 physical injury. ....90 months
- 25 (B) Using a child in a display
- 26 of sexually explicit
- 27 conduct, as defined in
- 28 ORS 163.670.....70 months
- 29 (C) Compelling prostitution,
- 30 as defined in
- 31 ORS 167.017.....70 months

- 1 (D) Rape in the first degree,  
2 as defined in  
3 ORS 163.375 (1)(b). .....300 months
- 4 (E) Sodomy in the first degree,  
5 as defined in  
6 ORS 163.405 (1)(b). .....300 months
- 7 (F) Unlawful sexual penetration  
8 in the first degree, as  
9 defined in  
10 ORS 163.411 (1)(b). .....300 months
- 11 (G) Kidnapping in the first  
12 degree, as defined in  
13 ORS 163.235, when the  
14 offense is committed in  
15 furtherance of the commission  
16 or attempted commission of an  
17 offense listed in subparagraph  
18 (D), (E) or (F) of  
19 this paragraph.....300 months
- 20 (c) Aggravated vehicular  
21 homicide, as defined in  
22 ORS 163.149.....240 months

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24 **SECTION 2.** ORS 137.707 is amended to read:

25 137.707. (1)(a) When a person waived under ORS 419C.349 (1)(a) is con-  
26 victed of an offense listed in subsection (4) of this section, the court shall  
27 impose at least the presumptive term of imprisonment provided for the of-  
28 fense in subsection (4) of this section. The court may impose a greater  
29 presumptive term if otherwise permitted by law, but may not impose a lesser  
30 term. The person is not, during the service of the term of imprisonment, el-  
31 igible for release on post-prison supervision or any form of temporary leave

1 from custody. The person is not eligible for any reduction in the minimum  
2 sentence for any reason under ORS 421.121 or any other provision of law.  
3 The person is eligible for a hearing and conditional release under ORS  
4 420A.203 and 420A.206.

5 **(b) Notwithstanding paragraph (a) of this subsection, when a person**  
6 **waived under ORS 419C.349 (1)(a) is convicted of an offense listed in**  
7 **subsection (4)(a)(C) to (S), (b) or (c) of this section and the person has**  
8 **not previously been sentenced under this section or ORS 137.712, the**  
9 **court shall impose the sentence described in paragraph (a) of this**  
10 **subsection, except that the person is eligible for a reduction in the**  
11 **minimum sentence under ORS 421.121 unless the court orders other-**  
12 **wise under ORS 137.750.**

13 (2) ORS 138.052, 163.105 and 163.150 apply to sentencing a person prose-  
14 cuted under this section and convicted of aggravated murder under ORS  
15 163.095 except that a person who was under 18 years of age at the time the  
16 offense was committed is not subject to a sentence of death or life  
17 imprisonment without the possibility of release or parole.

18 (3) The court shall commit the person to the legal and physical custody  
19 of the Department of Corrections.

20 (4) The offenses to which this section applies and the presumptive sen-  
21 tences are:

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23	(a)(A) Murder in the second
24	degree, as defined in
25	ORS 163.115.....300 months
26	(B) Murder in the first
27	degree, as defined
28	in ORS 163.107.....360 months
29	(C) Attempt or conspiracy
30	to commit aggravated
31	murder, as defined

- 1 in ORS 163.095.....120 months
- 2 (D) Attempt or conspiracy
- 3 to commit murder
- 4 in any degree.....90 months
- 5 (E) Manslaughter in the
- 6 first degree, as defined
- 7 in ORS 163.118.....120 months
- 8 (F) Manslaughter in the
- 9 second degree, as defined
- 10 in ORS 163.125.....75 months
- 11 (G) Assault in the first
- 12 degree, as defined
- 13 in ORS 163.185.....90 months
- 14 (H) Assault in the second
- 15 degree, as defined
- 16 in ORS 163.175.....70 months
- 17 (I) Kidnapping in the first
- 18 degree, as defined in
- 19 ORS 163.235.....90 months
- 20 (J) Kidnapping in the second
- 21 degree, as defined in
- 22 ORS 163.225.....70 months
- 23 (K) Rape in the first degree,
- 24 as defined in ORS 163.375....100 months
- 25 (L) Rape in the second
- 26 degree, as defined in
- 27 ORS 163.365.....75 months
- 28 (M) Sodomy in the first
- 29 degree, as defined in
- 30 ORS 163.405.....100 months
- 31 (N) Sodomy in the second

- 1 degree, as defined in
- 2 ORS 163.395.....75 months
- 3 (O) Unlawful sexual
- 4 penetration in the first
- 5 degree, as defined
- 6 in ORS 163.411.....100 months
- 7 (P) Unlawful sexual
- 8 penetration in the
- 9 second degree, as
- 10 defined in ORS 163.408. ....75 months
- 11 (Q) Sexual abuse in the first
- 12 degree, as defined in
- 13 ORS 163.427. ....75 months
- 14 (R) Robbery in the first
- 15 degree, as defined in
- 16 ORS 164.415. ....90 months
- 17 (S) Robbery in the second
- 18 degree, as defined in
- 19 ORS 164.405. ....70 months
- 20 (b)(A) Arson in the first degree,
- 21 as defined in ORS 164.325,
- 22 when the offense represented
- 23 a threat of serious
- 24 physical injury. ....90 months
- 25 (B) Using a child in a display
- 26 of sexually explicit
- 27 conduct, as defined in
- 28 ORS 163.670. ....70 months
- 29 (C) Compelling prostitution,
- 30 as defined in ORS 167.017
- 31 (1)(a), (b) or (d).....70 months



1 (c) Aggravated vehicular  
2 homicide, as defined in  
3 ORS 163.149.....240 months

4  
5 (5) If a person charged with an offense under this section is found guilty  
6 of a lesser included offense and the lesser included offense is:

7 (a) An offense listed in subsection (4) of this section, the court shall  
8 sentence the person as provided in subsections (1) and (2) of this section.

9 (b) Not an offense listed in subsection (4) of this section:

10 (A) But constitutes an offense for which waiver is authorized under ORS  
11 419C.349 (1)(b), the court, upon motion of the district attorney, shall hold a  
12 hearing to determine whether to retain jurisdiction or to transfer the case  
13 to juvenile court for disposition. In determining whether to retain jurisdic-  
14 tion, the court shall consider the criteria for waiver in ORS 419C.349. If the  
15 court retains jurisdiction, the court shall sentence the person as an adult  
16 under sentencing guidelines. If the court does not retain jurisdiction, the  
17 court shall:

18 (i) Order that a presentence report be prepared;

19 (ii) Set forth in a memorandum any observations and recommendations  
20 that the court deems appropriate;

21 (iii) Enter an order transferring the case to the juvenile court for dispo-  
22 sition under ORS 419C.067 and 419C.411; and

23 (iv) Enter an order providing that all court records of the case are subject  
24 to the same limitations on inspection, copying and disclosure of records, re-  
25 ports and materials as those set forth under ORS 419A.255.

26 (B) And is not an offense for which waiver is authorized under ORS  
27 419C.349 (1)(b), the court may not sentence the person. The court shall:

28 (i) Order that a presentence report be prepared;

29 (ii) Set forth in a memorandum any observations and recommendations  
30 that the court deems appropriate;

31 (iii) Enter an order transferring the case to the juvenile court for dispo-

1 sition under ORS 419C.067 and 419C.411; and

2 (iv) Enter an order providing that all court records of the case are subject  
3 to the same limitations on inspection, copying and disclosure of records, re-  
4 ports and materials as those set forth under ORS 419A.255.

5 (6) When a person is charged under this section, other offenses based on  
6 the same act or transaction shall be charged as separate counts in the same  
7 accusatory instrument and consolidated for trial, whether or not the other  
8 offenses are aggravated murder or offenses listed in subsection (4) of this  
9 section. If it appears, upon motion, that the state or the person charged is  
10 prejudiced by the joinder and consolidation of offenses, the court may order  
11 an election or separate trials of counts or provide whatever other relief jus-  
12 tice requires.

13 (7)(a) If a person charged and tried as provided in subsection (6) of this  
14 section is found guilty of aggravated murder or an offense listed in sub-  
15 section (4) of this section and one or more other offenses, the court shall  
16 impose the sentence for aggravated murder or the offense listed in subsection  
17 (4) of this section as provided in subsections (1) and (2) of this section and  
18 shall impose sentences for the other offenses as otherwise provided by law.

19 (b) If a person charged and tried as provided in subsection (6) of this  
20 section is not found guilty of aggravated murder or an offense listed in  
21 subsection (4) of this section, but is found guilty of one of the other charges  
22 that constitutes an offense for which waiver is authorized under ORS  
23 419C.349 (1)(b), the court, upon motion of the district attorney, shall hold a  
24 hearing to determine whether to retain jurisdiction or to transfer the case  
25 to juvenile court for disposition. In determining whether to retain jurisdic-  
26 tion, the court shall consider the criteria for waiver in ORS 419C.349. If the  
27 court retains jurisdiction, the court shall sentence the person as an adult  
28 under sentencing guidelines. If the court does not retain jurisdiction, the  
29 court shall:

30 (A) Order that a presentence report be prepared;

31 (B) Set forth in a memorandum any observations and recommendations

1 that the court deems appropriate;

2 (C) Enter an order transferring the case to the juvenile court for dispo-  
3 sition under ORS 419C.067 and 419C.411; and

4 (D) Enter an order providing that all court records of the case are subject  
5 to the same limitations on inspection, copying and disclosure of records, re-  
6 ports and materials as those set forth under ORS 419A.255.

7 **SECTION 3.** ORS 421.121 is amended to read:

8 421.121. (1) Except as provided in ORS 137.635, 137.700 (1)(a), 137.707  
9 (1)(a), 163.105, 163.107 and 163.115, each adult in custody sentenced to the  
10 custody of the Department of Corrections for felonies committed on or after  
11 November 1, 1989, is eligible for a reduction in the term of incarceration for:

12 (a) Appropriate institutional behavior, as defined by rule of the Depart-  
13 ment of Corrections; and

14 (b) Participation in the adult basic skills development program described  
15 in ORS 421.084.

16 (2) The maximum amount of time credits earned for appropriate institu-  
17 tional behavior or for participation in the adult basic skills development  
18 program described in ORS 421.084 may not exceed 20 percent of the total  
19 term of incarceration in a Department of Corrections institution.

20 (3) The time credits may not be used to shorten the term of actual prison  
21 confinement to less than six months.

22 (4) The department shall adopt rules pursuant to the rulemaking pro-  
23 visions of ORS chapter 183 to establish a process for granting, retracting and  
24 restoring the time credits earned by the offender as allowed in subsections  
25 (1) to (3) of this section.

26

27 **PROCEDURE FOR PERSONS CURRENTLY IN CUSTODY**

28

29 **SECTION 4.** (1)(a) Except as provided in paragraph (b) of this sub-  
30 section, if the court enters the supplemental judgment described in  
31 subsection (5)(b) or (7)(b) of this section, the amendments to ORS

1 **137.700, 137.707 and 421.121 by sections 1, 2 and 3 of this 2023 Act apply**  
2 **to persons:**

3 **(A) Sentenced before the effective date of this 2023 Act;**

4 **(B) Who, prior to the imposition of the sentence being served, had**  
5 **not previously been sentenced under ORS 137.700, 137.707 or 137.712;**  
6 **and**

7 **(C) Who are not prohibited by any other provision of law from ob-**  
8 **taining a reduction in the term of incarceration under ORS 421.121.**

9 **(b) The amendments to ORS 137.707 and 421.121 by sections 2 and 3**  
10 **of this 2023 Act do not apply to persons on conditional release under**  
11 **ORS 420A.206 on or before the operative date specified in section 5 of**  
12 **this 2023 Act.**

13 **(2)(a) If the Department of Corrections determines, pursuant to**  
14 **rules adopted by the department, that a person in the legal custody**  
15 **of the department and in the physical custody of either the department**  
16 **or the Oregon Youth Authority, who was sentenced before the effec-**  
17 **tive date of this 2023 Act, is eligible for a reduction in the term of in-**  
18 **carceration under ORS 421.121 pursuant to the amendments to ORS**  
19 **137.700, 137.707 and 421.121 by sections 1, 2 and 3 of this 2023 Act, the**  
20 **department shall notify:**

21 **(A) The person in custody; and**

22 **(B) The presiding judge, trial court administrator and district at-**  
23 **torney, in the county in which the person was convicted.**

24 **(b) The notice described in paragraph (a) of this subsection shall**  
25 **indicate the sentences and counts for which the person is eligible for**  
26 **a reduction in the term of incarceration.**

27 **(c) In addition to the notice described in paragraph (a) of this sub-**  
28 **section, the department and authority shall provide the presiding**  
29 **judge and trial court administrator with a supplemental judgment de-**  
30 **scribed in subsection (12) of this section for the person.**

31 **(3) Upon receipt of the notice, the trial court administrator shall**

1 file the notice with the court, and the district attorney shall make  
2 reasonable efforts to inform the victim:

3 (a) That the person may be eligible for a reduction in the term of  
4 incarceration under ORS 421.121;

5 (b) Of the victim's rights implicated by the person's eligibility for  
6 the reduction;

7 (c) That if the victim wishes to object to the person's eligibility for  
8 the reduction, the victim must notify the district attorney within 20  
9 days of the date the notice described in subsection (2) of this section  
10 is filed with the court by the trial court administrator; and

11 (d) That if the victim fails to object in accordance with paragraph  
12 (c) of this subsection, the sentencing court may authorize the depart-  
13 ment to consider the person for the reduction.

14 (4)(a) If the district attorney receives a timely notice of objection  
15 from a victim or if the district attorney objects to the person's eligi-  
16 bility for a reduction in the term of incarceration under ORS 421.121,  
17 the district attorney must file notice of the objection with the court  
18 no later than 21 days after the date the notice described in subsection  
19 (2) of this section is filed with the court by the trial court adminis-  
20 trator.

21 (b) Unless the court has entered the judgment described in sub-  
22 section (5)(b) of this section, the court may, for good cause shown,  
23 allow the filing of a notice of objection on a date later than the date  
24 described in paragraph (a) of this subsection.

25 (5)(a) If a notice of objection is filed with the court within the time  
26 period described in subsection (4) of this section or if the sentencing  
27 court, on its own motion, determines that a hearing is necessary, the  
28 court shall set a hearing within 35 days of the date the notice described  
29 in subsection (2) of this section is filed with the court by the trial  
30 court administrator, unless the court finds good cause to hold the  
31 hearing at a later date.

1 (b) If a notice of objection is not filed with the court within the  
2 time period described in subsection (4) of this section and the sen-  
3 tencing court determines that it is appropriate to authorize the de-  
4 partment to consider the person for a reduction in the term of  
5 incarceration under ORS 421.121, the court shall enter a supplemental  
6 judgment using the form of judgment submitted by the department  
7 under subsection (12)(a) of this section.

8 (6)(a) When the court sets a hearing under subsection (5)(a) of this  
9 section, the court shall appoint counsel for the person and notify the  
10 person, the person's counsel, the department and the district attorney  
11 of the hearing date. Upon receipt of the notice, the district attorney  
12 shall make reasonable efforts to inform the victim of:

13 (A) The hearing date; and

14 (B) The victim's rights implicated in the hearing.

15 (b) Pursuant to ORS 151.216 and 151.219, the Public Defense Services  
16 Commission shall provide for the representation of a person for whom  
17 counsel is appointed under this subsection.

18 (7)(a) At the hearing, the person, the district attorney and the vic-  
19 tim may introduce evidence relevant to the determination of whether,  
20 under ORS 137.750 and based on the information available to the par-  
21 ties and the court at the time the sentence was originally imposed,  
22 there are substantial and compelling reasons to order that the person  
23 not be considered for a reduction in the term of incarceration under  
24 ORS 421.121.

25 (b) Upon the conclusion of the hearing, the court shall order on the  
26 record in open court that the department is authorized to consider the  
27 person for a reduction in the term of incarceration under ORS 421.121  
28 unless the court finds, on the record and in open court, substantial  
29 and compelling reasons to order that the person not be considered for  
30 the reduction. If the court orders that the person may be considered  
31 for the reduction, the court shall enter a supplemental judgment using

1 **the form of judgment submitted by the department under subsection**  
2 **(12)(a) of this section.**

3 **(c) ORS 40.010 to 40.210 and 40.310 to 40.585 do not apply to a hearing**  
4 **conducted under this section.**

5 **(d) The sentencing court has jurisdiction to modify its judgment**  
6 **and sentence to enter the supplemental judgment described in sub-**  
7 **section (5)(b) of this section or to reflect the results of a hearing de-**  
8 **scribed in this subsection.**

9 **(8) Unless the court orders otherwise, a person shall appear at a**  
10 **hearing described in subsection (7) of this section by simultaneous**  
11 **electronic transmission as defined in ORS 131.045.**

12 **(9) Notwithstanding the grant of a reduction in the term of incar-**  
13 **ceration under ORS 421.121 by the department under this section, the**  
14 **department may defer the release of a person for no more than 90 days**  
15 **when, in the judgment of the department, the deferral is necessary or**  
16 **advisable in order for the department to provide for transitional plan-**  
17 **ning or for the continuity of medical or mental health care or treat-**  
18 **ment to the person.**

19 **(10) The post-prison supervision term of a person who is released**  
20 **from a facility of the department or the Oregon Youth Authority after**  
21 **having been granted a reduction in the term of incarceration under**  
22 **ORS 421.121 commences upon the person's physical release from the**  
23 **facility.**

24 **(11)(a) Nothing in this section or the amendments to ORS 137.700,**  
25 **137.707 and 421.121 by sections 1, 2 and 3 of this 2023 Act:**

26 **(A) Creates any cause of action for compensation or damages;**  
27 **(B) Entitles a person to a hearing before the date set by the court**  
28 **under subsection (5)(a) of this section; or**

29 **(C) Entitles a person sentenced under ORS 137.700 or 137.707 to a**  
30 **reduction in the term of incarceration, except as authorized by the**  
31 **sentencing court and granted by the department in accordance with**

1 department rules.

2 (b) Notwithstanding ORS 30.265 or any other provision of law, the  
3 department and its officers, employees and agents are immune from  
4 any claim or action arising from:

5 (A) The failure to identify a person who is eligible for a reduction  
6 in the term of incarceration under the amendments to ORS 137.700,  
7 137.707 and 421.121 by sections 1, 2 and 3 this 2023 Act or to provide the  
8 notice described in subsection (2) of this section;

9 (B) The failure to grant a reduction in the term of incarceration  
10 under ORS 421.121 after the reduction has been authorized by the  
11 sentencing court under subsection (5)(b) or (7)(b) of this section; or

12 (C) The deferral of a person's release under subsection (9) of this  
13 section.

14 (12) The Department of Corrections:

15 (a) Shall, after consulting with the Judicial Department, prepare a  
16 form of supplemental judgment that specifies the sentences and counts  
17 for which a person sentenced under ORS 137.700 or 137.707 is eligible  
18 for a reduction in the term of incarceration under ORS 421.121.

19 (b) May adopt rules to carry out the provisions of this section.

20 (13) As used in this section:

21 (a) "Reasonable efforts to inform the victim" has the meaning given  
22 that phrase in ORS 147.500.

23 (b) "Victim" has the meaning given that term in ORS 147.500.

24 SECTION 5. (1) Section 4 of this 2023 Act becomes operative on the  
25 date that is 60 days after the effective date of this 2023 Act.

26 (2) The Department of Corrections, the Judicial Department, the  
27 State Board of Parole and Post-Prison Supervision and the district  
28 attorneys of this state may take any action before the operative date  
29 specified in subsection (1) of this section that is necessary to enable  
30 the departments, board or district attorneys to exercise, on or after  
31 the operative date specified in subsection (1) of this section, all the



1 **duties, functions and powers conferred on the departments, board or**  
2 **district attorneys by section 4 of this 2023 Act.**

3 **SECTION 6. Section 4 of this 2023 Act is repealed on January 1, 2026.**

4

5

#### **APPLICABILITY**

6

7 **SECTION 7. Except as provided in section 4 of this 2023 Act, the**  
8 **amendments to ORS 137.700, 137.707 and 421.121 by sections 1 to 3 of**  
9 **this 2023 Act apply to sentences imposed on or after the effective date**  
10 **of this 2023 Act.**

11

12

#### **CAPTIONS**

13

14 **SECTION 8. The unit captions used in this 2023 Act are provided**  
15 **only for the convenience of the reader and do not become part of the**  
16 **statutory law of this state or express any legislative intent in the**  
17 **enactment of this 2023 Act.**

18

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#### **EFFECTIVE DATE**

20

21 **SECTION 9. This 2023 Act takes effect on the 91st day after the date**  
22 **on which the 2023 regular session of the Eighty-second Legislative**  
23 **Assembly adjourns sine die.**

24

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