

SB 71 STAFF MEASURE SUMMARY

Senate Committee On Health Care

Prepared By: Brian Nieuburt, LPRO Analyst

Meeting Dates: 3/24

WHAT THE MEASURE DOES:

Directs Oregon Health Authority to study issues related to fitness to proceed and to provide results of study to Legislative Assembly no later than December 31, 2021. Sunsets January 2, 2022. Takes effect on 91st day following adjournment sine die.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Pretrial defendants in who appear unable to aid and assist in their defense undergo a psychological evaluation to determine their competency. If the court determines that the defendant lacks fitness to proceed, the criminal proceeding against the defendant must be suspended and appropriate action taken, including commitment to the Oregon State Hospital, community restoration, release on supervision, protective proceedings, or dismissal of charges.

Senate Bill 71 directs the Oregon Health Authority to study issues related to fitness to proceed and report results of the study to the Legislative Assembly by December 31, 2021.