

Requested by Representative REYNOLDS

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3298**

1 On page 1 of the printed bill, line 3, after “144.126;” delete the rest of the  
2 line and delete line 4 and insert “and prescribing an effective date.”.

3 Delete lines 6 through 27 and delete pages 2 through 6 and insert:

4 **“SECTION 1.** ORS 144.122 is amended to read:

5 “144.122. (1) After the initial parole release date has been set under ORS  
6 144.120 and after a minimum period of time established by the State Board  
7 of Parole and Post-Prison Supervision under subsection (2)(a) of this section,  
8 [*the prisoner*] **an adult in custody** may request that the parole release date  
9 be reset to an earlier date. The board may grant the request upon a deter-  
10 mination by the board that continued incarceration is cruel and inhumane  
11 and that resetting the release date to an earlier date is not incompatible with  
12 the best interests of the [*prisoner*] **adult in custody** and society and that the  
13 [*prisoner:*] **adult in custody has demonstrated an extended course of**  
14 **conduct indicating outstanding reformation.**

15 “[*(a) Has demonstrated an extended course of conduct indicating outstand-*  
16 *ing reformation;*]

17 “[*(b) Suffers from a severe medical condition including terminal illness;*  
18 *or*]

19 “[*(c) Is elderly and is permanently incapacitated in such a manner that the*  
20 *prisoner is unable to move from place to place without the assistance of another*  
21 *person.*]

1 “(2) The Advisory Commission on Prison Terms and Parole Standards may  
2 propose to the board and the board shall adopt rules:

3 “(a) Establishing minimum periods of time to be served by [*prisoners*]  
4 **adults in custody** before application may be made for a reset of release date  
5 under subsection (1) of this section;

6 “(b) Detailing the criteria set forth under subsection (1) of this section  
7 for the resetting of a parole release date; and

8 “(c) Establishing criteria for parole release plans for [*prisoners*] **adults**  
9 **in custody** released under this section that, at a minimum, must ensure ap-  
10 propriate supervision and services for the person released.

11 “[*(3) The provisions of subsection (1)(b) of this section apply to prisoners*  
12 *sentenced in accordance with ORS 161.610.*]

13 “[*(4)*] **(3)** The provisions of this section do not apply to prisoners sen-  
14 tenced to life imprisonment without the possibility of release or parole under  
15 ORS 138.052 or 163.150.

16 “[*(5)*] **(4)** If the victim has requested notification of the release of the  
17 [*prisoner*] **adult in custody**, the board shall notify the victim as described  
18 in ORS 144.750 (3) prior to any hearing or administrative decision under this  
19 section.

20 **“SECTION 1a. ORS 144.126 is added to and made a part of sections**  
21 **3 to 7 of this 2021 Act.**

22 **“SECTION 2.** ORS 144.126 is amended to read:

23 “144.126. (1) The State Board of Parole and Post-Prison Supervision may  
24 advance the release date of [*a prisoner who was sentenced in accordance with*  
25 *rules of the Oregon Criminal Justice Commission or ORS 161.610*] **an adult**  
26 **in custody who meets one or more of the criteria described in section**  
27 **5 (5) of this 2021 Act.** The release date may be advanced [*if the board de-*  
28 *termines that continued incarceration is cruel and inhumane and that ad-*  
29 *vancing the release date of the prisoner is not incompatible with the best*  
30 *interests of the prisoner and society and that the prisoner is:*]

1        “[*(a) Suffering from a severe medical condition including terminal illness;*  
2 *or*]

3        “[*(b) Elderly and permanently incapacitated in such a manner that the*  
4 *prisoner is unable to move from place to place without the assistance of another*  
5 *person*] **as described in subsection (2) of this section.**

6        **“(2)(a) An adult in custody may apply for release under this section**  
7 **by completing an application for release and submitting the applica-**  
8 **tion to the Medical Release Advisory Committee established under**  
9 **section 4 of this 2021 Act.**

10       **“(b) If the advisory committee provides the board with a recom-**  
11 **mendation for release under this section, the board shall hold a hear-**  
12 **ing within 45 days of receiving the recommendation, unless the board**  
13 **finds good cause to postpone the hearing or the board proceeds under**  
14 **paragraph (c) of this subsection.**

15       **“(c) The board may affirm the committee’s recommendation, ad-**  
16 **vance the release date and release the adult in custody without holding**  
17 **a hearing.**

18       **“(d) The board shall affirm the committee’s recommendation, ad-**  
19 **vance the release date and release the adult in custody unless the**  
20 **board finds, by clear and convincing evidence, that the adult in cus-**  
21 **tody poses a danger to the safety of another person or the public and**  
22 **the danger outweighs any compassionate reasons for the release.**

23       “[*(2)*] **(3)** The board shall adopt rules establishing criteria for release  
24 plans for [*prisoners*] **adults in custody** released under this section that, at  
25 a minimum, must [*insure*] **ensure** appropriate supervision [*and services*] for  
26 the person released.

27       “[*(3)*] **(4)** The provisions of this section do not apply to [*prisoners*] **adults**  
28 **in custody serving a sentence required by ORS 137.635, 137.690, 137.700,**  
29 **164.061, 475.907, 475.925, 475.930 or 813.011 or sentenced to life**  
30 **imprisonment without the possibility of release or parole under ORS 138.052**

1 or 163.150.

2 “[4] (5) If the victim has requested notification of the release of the  
3 [prisoner] **adult in custody**, the board shall notify the victim as described  
4 in ORS 144.750 (3) prior to any hearing or administrative decision under this  
5 section.

6 **“(6) An adult in custody whose application for release under this  
7 section is denied by the board may reapply for release if:**

8 **“(a) There has been a substantial change in the medical condition  
9 or other circumstances, as defined in rules adopted by the Medical  
10 Release Advisory Committee, since the previous application; or**

11 **“(b) New information has been obtained regarding the medical  
12 condition or other circumstance since the previous application.**

13 **“SECTION 3. (1) The Department of Corrections shall ensure that  
14 the process for obtaining release under sections 3 to 7 of this 2021 Act  
15 is explained on the website of the department and in any handbook  
16 provided to adults in custody.**

17 **“(2) The department shall ensure that application forms for ob-  
18 taining release under sections 3 to 7 of this 2021 Act are made available  
19 for all adults in custody in department facilities.**

20 **“SECTION 4. (1) There is established, within the State Board of  
21 Parole and Post-Prison Supervision, the Medical Release Advisory  
22 Committee.**

23 **“(2)(a) The Governor shall appoint at least seven and up to 13  
24 members of the committee. Committee members serve four-year terms  
25 but serve at the pleasure of the Governor. If the number of committee  
26 members falls below seven for any cause, the Governor shall make an  
27 appointment to become immediately effective for the unexpired term.  
28 A person who has served as a committee member is eligible for reap-  
29 pointment.**

30 **“(b) The committee members shall consist of licensed physicians,**

1 physician assistants, nurse practitioners and nurses. At least one  
2 committee member must be a licensed and board-certified physician,  
3 and at least four committee members must be involved in direct pa-  
4 tient care. The committee members may not be employees of the De-  
5 partment of Corrections, must reflect the communities of which the  
6 population of adults in custody are members, and must include repre-  
7 sentatives from historically marginalized or underrepresented com-  
8 munities.

9 “(3) The board shall provide staff support to the committee and  
10 shall compensate committee members for the performance of com-  
11 mittee work, but may not participate in or exert any influence over  
12 the business or decisions of the committee.

13 “(4) The committee shall elect one of its members to serve as  
14 chairperson. A majority of members of the committee constitutes a  
15 quorum for the transaction of business other than consideration of  
16 medical release applications.

17 “(5) The committee shall form at least two panels of at least three  
18 members each. At least one panel shall receive and consider regular  
19 applications for medical release under sections 3 to 7 of this 2021 Act  
20 and at least one panel shall receive and consider expedited applications  
21 for medical release under sections 3 to 7 of this 2021 Act.

22 “(6) Upon request by the committee, the board shall authorize funds  
23 for a consultation with an expert or specialist that is necessary for the  
24 committee to carry out the duties described in section 5 of this 2021  
25 Act.

26 “(7) The committee shall hire a social worker to assist persons ap-  
27 plying for medical release as described in section 5 of this 2021 Act.

28 “(8) The committee shall develop an application form for medical  
29 release under sections 3 to 7 of this 2021 Act that is simple and easy  
30 to understand. The form must allow the applicant to request expedited

1 review of the application and be made available in multiple languages.

2 “(9)(a) The committee shall adopt rules necessary to carry out the  
3 duties of the committee, including but not limited to:

4 “(A) Rules further defining the criteria for medical release de-  
5 scribed in section 5 (5) of this 2021 Act.

6 “(B) Rules further defining eligibility for reapplying for medical  
7 release after denial at any stage, including what constitutes a sub-  
8 stantial change in a medical condition or other circumstances.

9 “(C) Rules establishing which applicants qualify for expedited ap-  
10 plications for medical release under sections 3 to 7 of this 2021 Act.

11 “(D) Rules adopted in consultation with the Oregon Health Au-  
12 thority and the Governor concerning applicants who are described in  
13 section 5 (5)(c) of this 2021 Act.

14 “(b) The committee shall regularly review the rules adopted under  
15 this subsection to ensure that the rules are based on current medical  
16 understanding.

17 **“SECTION 5. (1)(a) Upon receipt of an application for medical re-  
18 lease under sections 3 to 7 of this 2021 Act, a panel of the Medical  
19 Release Advisory Committee shall determine whether the application  
20 is complete and provides sufficient information to make a recommen-  
21 dation under subsection (3) of this section. If the application is in-  
22 complete, the panel shall notify the applicant and allow the applicant  
23 an opportunity to complete the application.**

24 **“(b) If the application is complete, but does not contain sufficient  
25 information to make a recommendation under subsection (3) of this  
26 section, the panel may require the applicant to provide additional in-  
27 formation, including medical records, or may require that the appli-  
28 cant provide authorization to obtain additional medical records, in  
29 order to move forward on considering the application.**

30 **“(c) Each month, the committee shall consider five applications for**

1 release under sections 3 to 7 of this 2021 Act. The committee shall  
2 prioritize the consideration of applications based on the applicant  
3 having a terminal illness with a prognosis of 12 months or less to live,  
4 but shall otherwise consider the first five completed applications with  
5 sufficient information for the committee to make a recommendation  
6 under subsection (3) of this section.

7 “(d) The limit on applications considered by the committee de-  
8 scribed in paragraph (c) of this subsection does not apply during any  
9 month that a state of emergency has been declared under ORS 401.165  
10 or is ongoing, a public health emergency has been declared under ORS  
11 433.441 or is ongoing, or a pandemic is occurring, but the committee  
12 shall continue to prioritize the consideration of applications based on  
13 the applicant having a terminal illness with a prognosis of 12 months  
14 or less to live.

15 “(e) Upon receipt of the five applications to be considered by the  
16 committee, the social worker employed by the committee shall assist  
17 each applicant with reentry planning and ensuring continuity of care  
18 in the community.

19 “(2)(a) Except as provided in paragraphs (b) and (c) of this sub-  
20 section, a panel considering applications in the normal course shall  
21 make a decision on an application within 45 calendar days of receiving  
22 a completed application. A panel considering expedited applications  
23 shall make a decision on an application within 14 calendar days of re-  
24 ceiving a completed application.

25 “(b) A panel may, for good cause, make a decision on an application  
26 after the time requirements described in paragraph (a) of this sub-  
27 section.

28 “(c) Upon the request of an applicant, the time requirements de-  
29 scribed in paragraph (a) of this subsection are tolled until the appli-  
30 cant subsequently requests that the panel proceed with considering the

1 application.

2 “(3)(a) The panel shall review each application to determine  
3 whether the applicant meets one or more of the criteria described in  
4 subsection (5) of this section. The committee will evaluate the appli-  
5 cation and the criteria by assessing considerations including, but not  
6 limited to, the balance between time the applicant has left to serve,  
7 the quality of life living with the medical condition, and whether  
8 continued care in a custodial setting is no longer appropriate. If the  
9 panel determines, by a vote of the majority of the panel, that the ap-  
10 plicant meets one or more of the criteria, the panel shall recommend  
11 that the applicant be released based on medical need and compassion.

12 “(b) Any member of a panel may consult with a committee member  
13 on another panel, or with an outside expert or specialist, concerning  
14 an application under consideration before the panel.

15 “(c) A panel may refer an application for a vote by the full com-  
16 mittee. If the full committee determines, by a vote of the majority of  
17 the committee, that the applicant meets one or more of the criteria  
18 described in subsection (5) of this section, the committee shall re-  
19 commend that the applicant be released based on medical need and  
20 compassion.

21 “(d) The committee shall make written findings when recommend-  
22 ing or declining to recommend release under this section.

23 “(4) If the panel or committee recommends release under subsection  
24 (3) of this section:

25 “(a) Pursuant to ORS 151.216 and 151.219, the Public Defense Ser-  
26 vices Commission shall provide for the representation of financially  
27 eligible applicants at all subsequent proceedings, including hearings  
28 before the State Board of Parole and Post-Prison Supervision under  
29 ORS 144.126 and hearings before the court on motions for release under  
30 section 6 of this 2021 Act. If the commission determines that the ap-



1 applicant is not financially eligible for appointed counsel at state ex-  
2 pense, the applicant may request review of the determination as  
3 provided in ORS 144.337.

4 “(b) The social worker employed by the committee may coordinate  
5 with the Department of Corrections or any other outside agency or  
6 organization in order to continue to assist the applicant with reentry  
7 planning and ensuring continuity of care in the community.

8 “(c) The applicant’s attorney shall advise the applicant, and inform  
9 the committee, concerning whether the applicant is eligible for release  
10 by the board under ORS 144.126 or eligible for resentencing under sec-  
11 tion 6 of this 2021 Act. If the applicant is eligible for release by the  
12 board under ORS 144.126, the committee shall submit the application  
13 and recommendation to the board. If the applicant is not eligible for  
14 release by the board but is eligible for resentencing under section 6  
15 of this 2021 Act, the attorney may file a motion for release with the  
16 sentencing court and proceed under section 6 of this 2021 Act. If the  
17 applicant is not eligible for either release by the board or resentencing,  
18 the attorney shall assist the applicant with any other release process  
19 for which the applicant is eligible, including executive clemency.

20 “(5) An applicant is eligible for release under sections 3 to 7 of this  
21 2021 Act if the applicant meets one or more of the following criteria,  
22 as further defined in the rules of the committee:

23 “(a) The applicant has a terminal illness with a prognosis of 12  
24 months or less to live.

25 “(b) The applicant is unable to independently complete the activities  
26 of eating, toileting, grooming, dressing, bathing or physical transfers  
27 or is unable to independently move from place to place, even with the  
28 use of a mobility device.

29 “(c) The applicant has an underlying condition that places the ap-  
30 plicant at increased risk of illness, medical complications or death if

1 the applicant is exposed to disease, and a state of emergency has been  
2 declared under ORS 401.165, a public health emergency has been de-  
3 clared under ORS 433.441, or a pandemic is occurring.

4 “(6) An applicant whose application for release under sections 3 to  
5 7 of this 2021 Act is denied by the committee may reapply for release  
6 provided that:

7 “(a) There has been a substantial change in the medical condition  
8 or other circumstances, as defined in rules adopted by the committee,  
9 since the previous application; or

10 “(b) New information has been obtained regarding the medical  
11 condition or other circumstance since the previous application.

12 **“SECTION 6. (1) An applicant for release under sections 3 to 7 of**  
13 **this 2021 Act is eligible for resentencing under this section if the ap-**  
14 **plicant is not serving a sentence required by ORS 137.635, 137.690,**  
15 **137.700, 164.061, 475.907, 475.925, 475.930 or 813.011.**

16 “(2) If the attorney of an applicant recommended for release by the  
17 Medical Release Advisory Committee files a motion for release with  
18 the sentencing court under section 5 (4) of this 2021 Act, the attorney  
19 shall file a copy of the motion with the district attorney of the county  
20 in which the sentencing court is located. The district attorney shall  
21 make reasonable efforts to notify the victim of the hearing.

22 “(3) Upon receipt of a motion under section 5 (4) of this 2021 Act,  
23 the court shall schedule a resentencing hearing. The hearing shall  
24 occur within 30 calendar days of the receipt of the motion unless the  
25 court finds good cause or either party requests a delay. At the hearing,  
26 the district attorney and the victim shall have an opportunity to be  
27 heard. The court shall give substantial weight to the committee’s  
28 recommendation when making a decision under this section, and shall  
29 act in accordance with the recommendation unless the court finds by  
30 clear and convincing evidence, based on evidence provided by the dis-

1 **strict attorney, that resentencing the applicant would create a threat**  
2 **to public safety.**

3 **“(4) If at the hearing the court determines that, due to the appli-**  
4 **cant meeting one or more of the criteria described in section 5 (5) of**  
5 **this 2021 Act, the interests of justice require release, the court has the**  
6 **authority to modify the original judgment of conviction to resentence**  
7 **the applicant to a term of incarceration equal to the amount of the**  
8 **time the applicant has already served in custody.**

9 **“(5) An applicant whose resentencing is denied under this section**  
10 **may reapply for medical release provided that the applicant can show**  
11 **that:**

12 **“(a) There has been a substantial change in the medical condition**  
13 **or other circumstances, as defined in rules adopted by the committee,**  
14 **since the previous application; or**

15 **“(b) New information has been obtained regarding the medical**  
16 **condition or other circumstance since the previous application.**

17 **“SECTION 7. (1) The Medical Release Advisory Committee, in col-**  
18 **laboration with the State Board of Parole and Post-Prison Supervision,**  
19 **shall track the following data on early release under sections 3 to 7**  
20 **of this 2021 Act:**

21 **“(a) The number of applications each year for release under**  
22 **sections 3 to 7 of this 2021 Act.**

23 **“(b) The number of applications that resulted in a recommendation**  
24 **by the committee for release, the number that did not result in a**  
25 **recommendation for release and the reasons for each decision.**

26 **“(c) The number of applicants recommended by the committee for**  
27 **release that were released by the board, not released by the board,**  
28 **resentenced by the court and not resentenced by the court, and the**  
29 **reasons for each disposition.**

30 **“(d) The number of applicants who reapplied for relief.**

1       “(e) Demographic data for each of the applicants, organized by dis-  
2 position.

3       “(2) No later than December 31 each year, the board shall prepare  
4 a report containing the data described in subsection (1) of this section  
5 from the preceding year and provide a copy of the report to the com-  
6 mittees of the Legislative Assembly related to the judiciary in the  
7 manner provided in ORS 192.245.

8       “SECTION 8. Section 5 of this 2021 Act is amended to read:

9       “**Sec. 5.** (1)(a) Upon receipt of an application for medical release under  
10 sections 3 to 7 of this 2021 Act, a panel of the Medical Release Advisory  
11 Committee shall determine whether the application is complete and provides  
12 sufficient information to make a recommendation under subsection (3) of this  
13 section. If the application is incomplete, the panel shall notify the applicant  
14 and allow the applicant an opportunity to complete the application.

15       “(b) If the application is complete, but does not contain sufficient infor-  
16 mation to make a recommendation under subsection (3) of this section, the  
17 panel may require the applicant to provide additional information, including  
18 medical records, or may require that the applicant provide authorization to  
19 obtain additional medical records, in order to move forward on considering  
20 the application.

21       “[(c) *Each month, the committee shall consider five applications for release*  
22 *under sections 3 to 7 of this 2021 Act. The committee shall prioritize the*  
23 *consideration of applications based on the applicant having a terminal illness*  
24 *with a prognosis of 12 months or less to live, but shall otherwise consider the*  
25 *first five completed applications with sufficient information for the committee*  
26 *to make a recommendation under subsection (3) of this section.]*

27       “[(d) *The limit on applications considered by the committee described in*  
28 *paragraph (c) of this subsection does not apply during any month that a state*  
29 *of emergency has been declared under ORS 401.165 or is ongoing, a public*  
30 *health emergency has been declared under ORS 433.441 or is ongoing, or a*

1 *pandemic is occurring, but the committee shall continue to prioritize the con-*  
2 *sideration of applications based on the applicant having a terminal illness*  
3 *with a prognosis of 12 months or less to live.]*

4 “[*e*] (c) Upon receipt of the [*five*] applications to be considered by the  
5 committee, the social worker employed by the committee shall assist each  
6 applicant with reentry planning and ensuring continuity of care in the com-  
7 munity.

8 “(2)(a) Except as provided in paragraphs (b) and (c) of this subsection, a  
9 panel considering applications in the normal course shall make a decision  
10 on an application within 45 calendar days of receiving a completed applica-  
11 tion. A panel considering expedited applications shall make a decision on an  
12 application within 14 calendar days of receiving a completed application.

13 “(b) A panel may, for good cause, make a decision on an application after  
14 the time requirements limits described in paragraph (a) of this subsection.

15 “(c) Upon the request of an applicant, the time requirements described in  
16 paragraph (a) of this subsection are tolled until the applicant subsequently  
17 requests that the panel proceed with considering the application.

18 “(3)(a) The panel shall review each application to determine whether the  
19 applicant meets one or more of the criteria described in subsection (5) of this  
20 section. The committee will evaluate the application and the criteria by as-  
21 sessing considerations including, but not limited to, the balance between  
22 time the applicant has left to serve, the quality of life living with the med-  
23 ical condition, and whether continued care in a custodial setting is no longer  
24 appropriate. If the panel determines, by a vote of the majority of the panel,  
25 that the applicant meets one or more of the criteria, the panel shall recom-  
26 mend that the applicant be released based on medical need and compassion.

27 “(b) Any member of a panel may consult with a committee member on  
28 another panel, or with an outside expert or specialist, concerning an appli-  
29 cation under consideration before the panel.

30 “(c) A panel may refer an application for a vote by the full committee.

1 If the full committee determines, by a vote of the majority of the committee,  
2 that the applicant meets one or more of the criteria described in subsection  
3 (5) of this section, the committee shall recommend that the applicant be re-  
4 leased based on medical need and compassion.

5 “(d) The committee shall make written findings when recommending or  
6 declining to recommend release under this section.

7 “(4) If the panel or committee recommends release under subsection (3)  
8 of this section:

9 “(a) Pursuant to ORS 151.216 and 151.219, the Public Defense Services  
10 Commission shall provide for the representation of financially eligible ap-  
11 plicants at all subsequent proceedings, including hearings before the State  
12 Board of Parole and Post-Prison Supervision under ORS 144.126 and hearings  
13 before the court on motions for release under section 6 of this 2021 Act. If  
14 the commission determines that the applicant is not financially eligible for  
15 appointed counsel at state expense, the applicant may request review of the  
16 determination as provided in ORS 144.337.

17 “(b) The social worker employed by the committee may coordinate with  
18 the Department of Corrections or any other outside agency or organization  
19 in order to continue to assist the applicant with reentry planning and en-  
20 suring continuity of care in the community.

21 “(c) The applicant’s attorney shall advise the applicant, and inform the  
22 committee, concerning whether the applicant is eligible for release by the  
23 board under ORS 144.126 or eligible for resentencing under section 6 of this  
24 2021 Act. If the applicant is eligible for release by the board under ORS  
25 144.126, the committee shall submit the application and recommendation to  
26 the board. If the applicant is not eligible for release by the board but is el-  
27 igible for resentencing under section 6 of this 2021 Act, the attorney may file  
28 a motion for release with the sentencing court and proceed under section 6  
29 of this 2021 Act. If the applicant is not eligible for either release by the  
30 board or resentencing, the attorney shall assist the applicant with any other

1 release process for which the applicant is eligible, including executive clem-  
2 ency.

3 “(5) An applicant is eligible for release under sections 3 to 7 of this 2021  
4 Act if the applicant meets one or more of the following criteria, as further  
5 defined in the rules of the committee:

6 “(a) The applicant has a terminal illness with a prognosis of 12 months  
7 or less to live.

8 “(b) The applicant is unable to independently complete the activities of  
9 eating, toileting, grooming, dressing, bathing or physical transfers or is un-  
10 able to independently move from place to place, even with the use of a mo-  
11 bility device.

12 “(c) **The applicant has a debilitating or progressively debilitating**  
13 **medical condition, including but not limited to an injury, illness, dis-**  
14 **ease, physiological or psychological condition or disorder that:**

15 “(A) **Poses an immediate risk to the person’s health or life;**

16 “(B) **Requires complex medical intervention or intensive, high needs**  
17 **or specialized care; or**

18 “(C) **Is otherwise described in the rules of the committee.**

19 “[c)] (d) The applicant has an underlying condition that places the ap-  
20 plicant at increased risk of illness, medical complications or death if the  
21 applicant is exposed to disease, and a state of emergency has been declared  
22 under ORS 401.165, a public health emergency has been declared under ORS  
23 433.441, or a pandemic is occurring.

24 “(6) An applicant whose application for release under sections 3 to 7 of  
25 this 2021 Act is denied by the committee may reapply for release provided  
26 that:

27 “(a) There has been a substantial change in the medical condition or  
28 other circumstances, as defined in rules adopted by the committee, since the  
29 previous application; or

30 “(b) New information has been obtained regarding the medical condition

1 or other circumstance since the previous application.

2 **“SECTION 9. The amendments to section 5 of this 2021 Act by sec-**  
3 **tion 8 of this 2021 Act become operative on January 1, 2025.**

4 **“SECTION 10. This 2021 Act takes effect on the 91st day after the**  
5 **date on which the 2021 regular session of the Eighty-first Legislative**  
6 **Assembly adjourns sine die.”**

7 \_\_\_\_\_