

**Enrolled**  
**House Bill 2172**

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Office of the Governor)

CHAPTER .....

AN ACT

Relating to sentencing; creating new provisions; and amending ORS 137.633.

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

**SECTION 1.** ORS 137.633 is amended to read:

137.633. (1) A person convicted of a felony or a designated drug-related misdemeanor and sentenced to probation, **to post-prison supervision** or to the legal and physical custody of the **Department of Corrections or the** supervisory authority under ORS 137.124 (2) is eligible for a reduction in the period of probation or *[local control]* post-prison supervision for complying with terms of probation or post-prison supervision, including **demonstrating a commitment to** the payment of restitution **to the extent the person is able to pay**, and participation in recidivism reduction programs.

(2) The maximum reduction under this section may not exceed 50 percent of the period of probation or *[local control]* post-prison supervision imposed.

(3) A reduction under this section may not be used to shorten the period of probation or *[local control]* post-prison supervision to less than six months.

**(4) A person serving a sentence described as follows is not eligible for a reduction in the term of supervision under this section:**

**(a) A sentence for a crime described in ORS 163.095, 163.107, 163.115, 163.118, 163.125, 163.149, 163.185, 163.225, 163.235, 163.365, 163.375, 163.395, 163.405, 163.408, 163.411, 163.427, 163.670, 164.325, 164.415 or 167.017;**

**(b) A sentence for attempt or conspiracy to commit a crime described in ORS 163.095, 163.107 or 163.115;**

**(c) A sentence for a crime committed prior to November 1, 1989;**

**(d) A sentence imposed under the provisions of ORS 161.610;**

**(e) A sentence imposed under the provisions of ORS 161.725 and 161.735;**

**(f) A sentence imposed under the provisions of ORS 137.635;**

**(g) A sentence imposed under the provisions of ORS 137.690, 164.061, 475.907, 475.925, 475.930 or 813.011; or**

**(h) A term of supervision subject to ORS 144.103.**

*[(4)(a)]* **(5)(a)** The Department of Corrections shall adopt rules to carry out the provisions of this section.

**(b) The rules adopted under this subsection shall include but are not limited to:**

**(A) Rules creating processes for early and ongoing notification of eligibility for an earned reduction in supervision under this section to persons on supervision; and**

**(B) Rules establishing consistent standards for determining when a person on supervision is in compliance with the requirements for, and has succeeded in, earning a reduction in supervision under this section.**

*[(b)]* (c) The supervisory authority shall comply with the rules adopted under this *[section]* subsection.

*[(5)]* (6) As used in this section~~[:]~~,

*[(a)]* “designated drug-related misdemeanor” has the meaning given that term in ORS 423.478.

*[(b)]* “Local control post-prison supervision” means post-prison supervision that is supervised by a local supervisory authority pursuant to ORS 144.101.]

**SECTION 2. The amendments to ORS 137.633 by section 1 of this 2021 Act apply to sentences imposed on or after the effective date of this 2021 Act.**

**Passed by House April 27, 2021**

**Received by Governor:**

**Repassed by House June 17, 2021**

.....M.,....., 2021

**Approved:**

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Timothy G. Sekerak, Chief Clerk of House

.....M.,....., 2021

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Tina Kotek, Speaker of House

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Kate Brown, Governor

**Passed by Senate June 15, 2021**

**Filed in Office of Secretary of State:**

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Peter Courtney, President of Senate

.....M.,....., 2021

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Shemia Fagan, Secretary of State