

D R A F T

SUMMARY

Provides that supervision of certain misdemeanor offenders reverts to Department of Corrections if county opts out of providing correctional services.

A BILL FOR AN ACT

Relating to community corrections; amending ORS 423.483.

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

SECTION 1. ORS 423.483 is amended to read:

423.483. (1)(a) The baseline funding for biennia beginning after June 30, 1999, is the current service level for the expenses of providing management, support services, supervision and sanctions for offenders described in ORS 423.478 (2). At a minimum, each biennium's appropriation must be established at this baseline.

(b) The baseline funding described in paragraph (a) of this subsection:

(A) May not be decreased as a result of a reduction under ORS 137.633.

(B) May not be increased as a result of community-based sanctions, services and programs that are funded under section 53, chapter 649, Oregon Laws 2013.

(2) If the total state community corrections appropriation is less than the baseline calculated under subsection (1) of this section, a county may discontinue participation by written notification to the director 180 days prior to implementation of the change. If a county discontinues participation, the responsibility for correctional services transferred to the county[,] and the portion of funding made available to the county under ORS 423.530 [*reverts*]

1 **revert** to the Department of Corrections. [*In no case does*] Responsibility for
2 supervision **of** and provision of correctional services to misdemeanor
3 offenders **does not** revert to the department **under any circumstances**
4 **except those of offenders convicted of designated drug-related**
5 **misdemeanors or designated person misdemeanors.**

6 (3) As used in this section[,]:

7 (a) “Current service level” means the calculated cost of continuing cur-
8 rent legislatively funded programs, phased in programs and increased
9 caseloads minus one-time costs, decreased caseloads, phased out programs
10 and pilot programs with the remainder adjusted for inflation as determined
11 by the Legislative Assembly in its biennial appropriation to the Department
12 of Corrections.

13 (b) “Designated drug-related misdemeanor” has the meaning given
14 that term in ORS 423.478.

15 (c) “Designated person misdemeanor” has the meaning given that
16 term in ORS 423.478.

17 **SECTION 2.** ORS 423.483, as amended by section 22, chapter 649, Oregon
18 Laws 2013, and section 3, chapter 140, Oregon Laws 2015, is amended to read:

19 423.483. (1)(a) The baseline funding for biennia beginning after June 30,
20 1999, is the current service level for the expenses of providing management,
21 support services, supervision and sanctions for offenders described in ORS
22 423.478 (2). At a minimum, each biennium’s appropriation must be established
23 at this baseline.

24 (b) The baseline funding described in paragraph (a) of this subsection may
25 not be decreased as a result of a reduction under ORS 137.633.

26 (2) If the total state community corrections appropriation is less than the
27 baseline calculated under subsection (1) of this section, a county may dis-
28 continue participation by written notification to the director 180 days prior
29 to implementation of the change. If a county discontinues participation, the
30 responsibility for correctional services transferred to the county[,] and the
31 portion of funding made available to the county under ORS 423.530 [*reverts*]

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