

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2645

By COMMITTEE ON JUDICIARY

March 29

- 1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert “423.478.”
- 2 On page 5, after line 18, insert:
- 3 “**SECTION 3.** ORS 423.478 is amended to read:
- 4 “423.478. (1) The Department of Corrections shall:
- 5 “(a) Operate prisons for offenders sentenced to terms of incarceration for more than 12 months;
- 6 “(b) Provide central information and data services sufficient to:
- 7 “(A) Allow tracking of offenders; and
- 8 “(B) Permit analysis of correlations between sanctions, supervision, services and programs, and
- 9 future criminal conduct; and
- 10 “(c) Provide interstate compact administration and jail inspections.
- 11 “(2) Subject to ORS 423.483, each county, in partnership with the department, shall assume re-
- 12 sponsibility for community-based supervision, sanctions and services for offenders convicted of felo-
- 13 nies, designated drug-related misdemeanors or designated person misdemeanors who are:
- 14 “(a) On parole;
- 15 “(b) On probation;
- 16 “(c) On post-prison supervision;
- 17 “(d) Sentenced, on or after January 1, 1997, to 12 months or less incarceration;
- 18 “(e) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post-
- 19 Prison Supervision to 12 months or less incarceration for violation of a condition of parole, pro-
- 20 bation or post-prison supervision; or
- 21 “(f) On conditional release under ORS 420A.206.
- 22 “(3) Notwithstanding the fact that the court has sentenced a person to a term of incarceration,
- 23 when an offender is committed to the custody of the supervisory authority of a county under ORS
- 24 137.124 (2) or (4), the supervisory authority may execute the sentence by imposing sanctions other
- 25 than incarceration if deemed appropriate by the supervisory authority. If the supervisory authority
- 26 releases a person from custody under this subsection and the person is required to report as a sex
- 27 offender under ORS 163A.010, the supervisory authority, as a condition of release, shall order the
- 28 person to report to the Department of State Police, a city police department or a county sheriff’s
- 29 office or to the supervising agency, if any:
- 30 “(a) When the person is released;
- 31 “(b) Within 10 days of a change of residence;
- 32 “(c) Once each year within 10 days of the person’s birth date;
- 33 “(d) Within 10 days of the first day the person works at, carries on a vocation at or attends an
- 34 institution of higher education; and
- 35 “(e) Within 10 days of a change in work, vocation or attendance status at an institution of

1 higher education.

2 “(4) As used in this section:

3 “(a) ‘Attends,’ ‘institution of higher education,’ ‘works’ and ‘carries on a vocation’ have the
4 meanings given those terms in ORS 163A.005.

5 “(b) ‘Designated drug-related misdemeanor’ means:

6 “(A) **Unlawful possession of fentanyl under ORS 475.752 (8)(a);**

7 “[*A*] (B) Unlawful possession of methadone under ORS 475.824 (2)(b);

8 “[*B*] (C) Unlawful possession of oxycodone under ORS 475.834 (2)(b);

9 “[*C*] (D) Unlawful possession of heroin under ORS 475.854 (2)(b);

10 “[*D*] (E) Unlawful possession of 3,4-methylenedioxymethamphetamine under ORS 475.874 (2)(b);

11 “[*E*] (F) Unlawful possession of cocaine under ORS 475.884 (2)(b); or

12 “[*F*] (G) Unlawful possession of methamphetamine under ORS 475.894 (2)(b).

13 “(c) ‘Designated person misdemeanor’ means:

14 “(A) Assault in the fourth degree constituting domestic violence if the judgment document is as
15 described in ORS 163.160 (4);

16 “(B) Menacing constituting domestic violence if the judgment document is as described in ORS
17 163.190 (3); or

18 “(C) Sexual abuse in the third degree under ORS 163.415.”.

19 In line 19, delete “3” and insert “4”.

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