

House Bill 3275

Sponsored by COMMITTEE ON JUDICIARY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

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

1
2 Relating to community corrections; amending ORS 423.483.

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

4 **SECTION 1.** ORS 423.483 is amended to read:

5 423.483. (1)(a) The baseline funding for biennia beginning after June 30, 1999, is the current
6 service level for the expenses of providing management, support services, supervision and sanctions
7 for offenders described in ORS 423.478 (2). At a minimum, each biennium's appropriation must be
8 established at this baseline.

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

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

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

13 (2) If the total state community corrections appropriation is less than the baseline calculated
14 under subsection (1) of this section, a county may discontinue participation by written notification
15 to the director 180 days prior to implementation of the change. If a county discontinues partic-
16 ipation, the responsibility for correctional services transferred to the county[,] and the portion of
17 funding made available to the county under ORS 423.530 [*reverts*] **revert** to the Department of
18 Corrections. [*In no case does*] Responsibility for supervision **of** and provision of correctional services
19 to misdemeanor offenders **does not** revert to the department **under any circumstances except**
20 **those of offenders convicted of designated drug-related misdemeanors or designated person**
21 **misdemeanors.**

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

23 (a) "Current service level" means the calculated cost of continuing current legislatively funded
24 programs, phased in programs and increased caseloads minus one-time costs, decreased caseloads,
25 phased out programs and pilot programs with the remainder adjusted for inflation as determined by
26 the Legislative Assembly in its biennial appropriation to the Department of Corrections.

27 (b) "**Designated drug-related misdemeanor**" has the meaning given that term in ORS
28 **423.478.**

29 (c) "**Designated person misdemeanor**" has the meaning given that term in ORS **423.478.**

30 **SECTION 2.** ORS 423.483, as amended by section 22, chapter 649, Oregon Laws 2013, and sec-
31 tion 3, chapter 140, Oregon Laws 2015, is amended to read:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

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

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

7 (2) If the total state community corrections appropriation is less than the baseline calculated
 8 under subsection (1) of this section, a county may discontinue participation by written notification
 9 to the director 180 days prior to implementation of the change. If a county discontinues partic-
 10 ipation, the responsibility for correctional services transferred to the county[,] and the portion of
 11 funding made available to the county under ORS 423.530 [*reverts*] **revert** to the Department of
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 13 to misdemeanor offenders **does not** revert to the department **under any circumstances except**
 14 **those of offenders convicted of designated drug-related misdemeanors or designated person**
 15 **misdemeanors.**

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

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 18 programs, phased in programs and increased caseloads minus one-time costs, decreased caseloads,
 19 phased out programs and pilot programs with the remainder adjusted for inflation as determined by
 20 the Legislative Assembly in its biennial appropriation to the Department of Corrections.

21 (b) **“Designated drug-related misdemeanor” has the meaning given that term in ORS**
 22 **423.478.**

23 (c) **“Designated person misdemeanor” has the meaning given that term in ORS 423.478.**
 24