

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2645**

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert
2 “423.478.”.

3 On page 5, after line 18, insert:

4 **“SECTION 3.** ORS 423.478 is amended to read:

5 “423.478. (1) The Department of Corrections shall:

6 “(a) Operate prisons for offenders sentenced to terms of incarceration for
7 more than 12 months;

8 “(b) Provide central information and data services sufficient to:

9 “(A) Allow tracking of offenders; and

10 “(B) Permit analysis of correlations between sanctions, supervision, ser-
11 vices and programs, and future criminal conduct; and

12 “(c) Provide interstate compact administration and jail inspections.

13 “(2) Subject to ORS 423.483, each county, in partnership with the depart-
14 ment, shall assume responsibility for community-based supervision, sanctions
15 and services for offenders convicted of felonies, designated drug-related
16 misdemeanors or designated person misdemeanors who are:

17 “(a) On parole;

18 “(b) On probation;

19 “(c) On post-prison supervision;

20 “(d) Sentenced, on or after January 1, 1997, to 12 months or less incar-
21 ceration;

1 “(e) Sanctioned, on or after January 1, 1997, by a court or the State Board
2 of Parole and Post-Prison Supervision to 12 months or less incarceration for
3 violation of a condition of parole, probation or post-prison supervision; or

4 “(f) On conditional release under ORS 420A.206.

5 “(3) Notwithstanding the fact that the court has sentenced a person to a
6 term of incarceration, when an offender is committed to the custody of the
7 supervisory authority of a county under ORS 137.124 (2) or (4), the supervi-
8 sory authority may execute the sentence by imposing sanctions other than
9 incarceration if deemed appropriate by the supervisory authority. If the su-
10 pervisory authority releases a person from custody under this subsection and
11 the person is required to report as a sex offender under ORS 163A.010, the
12 supervisory authority, as a condition of release, shall order the person to
13 report to the Department of State Police, a city police department or a
14 county sheriff’s office or to the supervising agency, if any:

15 “(a) When the person is released;

16 “(b) Within 10 days of a change of residence;

17 “(c) Once each year within 10 days of the person’s birth date;

18 “(d) Within 10 days of the first day the person works at, carries on a
19 vocation at or attends an institution of higher education; and

20 “(e) Within 10 days of a change in work, vocation or attendance status
21 at an institution of higher education.

22 “(4) As used in this section:

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

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

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

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

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

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

30 “[D] (E) Unlawful possession of 3,4-methylenedioxymethamphetamine

1 under ORS 475.874 (2)(b);

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

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

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

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

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

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

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

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