

House Bill 4135

Sponsored by Representative NERON, Senator MEEK, Representatives MANNIX, PHAM H; Representatives BOWMAN, GAMBIA, GOMBERG, HELM, HUDSON, NGUYEN H, Senators CAMPOS, DEMBROW, FREDERICK, GOLDEN, KNOPP, STEINER, TAYLOR, WOODS (Presession filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act creates the crime of threatening a mass injury event and directs the CJC to report certain data to the legislature about the new crime. The Act prohibits the possession of a gun by a person convicted of the new crime. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 66.3).

Creates the crime of threatening a mass injury event. Punishes by a maximum of 364 days' imprisonment, \$6,250 fine, or both, upon the first offense, and five years' imprisonment, \$125,000 fine, or both, upon second and subsequent offenses.

Prohibits the possession of a firearm by a person convicted of threatening a mass injury event. Punishes by a maximum of 364 days' imprisonment, \$6,250 fine, or both.

Provides that threatening a mass injury event constituting a misdemeanor is treated as a felony for purposes of supervision duties and funding.

Directs Oregon Criminal Justice Commission to report to the legislative assembly concerning specified data related to threatening a mass injury event charges.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to threatening a mass injury event; creating new provisions; amending ORS 161.005,
3 166.250, 166.274, 423.478, 423.483 and 423.525; and prescribing an effective date.

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

5 **SECTION 1. (1) A person commits the crime of threatening a mass injury event if:**

6 **(a) The person intentionally causes fear, alarm or terror in another person by conveying**
7 **a threat to cause unlawful serious physical injury or death to four or more persons at a**
8 **school, place of worship, health care facility, place of business, government building, mass**
9 **transit facility, park, plaza, event space or other place of assembly;**

10 **(b) The person expresses the intent to imminently carry out the threat; and**

11 **(c) A reasonable person would:**

12 **(A) Be placed in fear, alarm or terror by the threat; and**

13 **(B) Believe that the threat was credible and presents a reasonable likelihood of**
14 **imminently being carried out.**

15 **(2)(a) Threatening a mass injury event is a Class A misdemeanor.**

16 **(b) Notwithstanding paragraph (a) of this subsection, threatening a mass injury event is**
17 **a Class C felony if the person has one or more convictions under this section at the time the**
18 **offense is committed.**

19 **(c) The Oregon Criminal Justice Commission shall classify threatening a mass injury**
20 **event under paragraph (a) of this subsection as a person Class A misdemeanor under the**
21 **rules of the commission.**

22 **(d) The commission shall classify threatening a mass injury event under paragraph (b)**

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 of this subsection as a person felony under the rules of the commission.

2 (3) A threat under this section may be conveyed orally, in writing or telephonically, or
 3 may be an electronic threat as defined in ORS 166.065.

4 (4) For purposes of pretrial release, plea negotiations and sentencing, the victim of an
 5 offense under this section includes both the person to whom the threat is conveyed and the
 6 persons against whom the threat is made.

7 (5) When a court imposes sentence on a person convicted under this section who was
 8 under 18 years of age at the time of the offense, but who was not subject to the jurisdiction
 9 of the juvenile court under ORS 419C.005 due to the person attaining 18 years of age prior
 10 to the commencement of prosecution, the court shall consider the age of the person at the
 11 time of the offense as a mitigating circumstance.

12 **SECTION 2.** ORS 166.250 is amended to read:

13 166.250. (1) Except as otherwise provided in this section or ORS 166.260, 166.270, 166.273,
 14 166.274, 166.291, 166.292 or 166.410 to 166.470, a person commits the crime of unlawful possession
 15 of a firearm if the person knowingly:

16 (a) Carries any firearm concealed upon the person;

17 (b) Possesses a handgun that is concealed and readily accessible to the person within any vehi-
 18 cle;

19 (c) Possesses a firearm and:

20 (A) Is under 18 years of age;

21 (B)(i) While a minor, was found to be within the jurisdiction of the juvenile court for having
 22 committed an act which, if committed by an adult, would constitute a felony or a misdemeanor in-
 23 volving violence, as defined in ORS 166.470; and

24 (ii) Was discharged from the jurisdiction of the juvenile court within four years prior to being
 25 charged under this section;

26 (C) Has been convicted of a felony;

27 (D) Was committed to the Oregon Health Authority under ORS 426.130;

28 (E) Was found to be a person with mental illness and subject to an order under ORS 426.130 that
 29 the person be prohibited from purchasing or possessing a firearm as a result of that mental illness;

30 (F) Is presently subject to an order under ORS 426.133 prohibiting the person from purchasing
 31 or possessing a firearm;

32 (G) Has been found guilty except for insanity under ORS 161.295 of a felony; [or]

33 (H) The possession of the firearm by the person is prohibited under ORS 166.255; or

34 **(I) Has been convicted of threatening a mass injury event under section 1 of this 2024**
 35 **Act; or**

36 (d) Possesses an unfinished frame or receiver and is prohibited from possessing firearms under
 37 paragraph (c) of this subsection.

38 (2) This section does not prohibit:

39 (a) A minor, who is not otherwise prohibited under subsection (1)(c) of this section, from pos-
 40 ssuming a firearm:

41 (A) Other than a handgun, if the firearm was transferred to the minor by the minor's parent or
 42 guardian or by another person with the consent of the minor's parent or guardian; or

43 (B) Temporarily for hunting, target practice or any other lawful purpose; or

44 (b) Any citizen of the United States over the age of 18 years who resides in or is temporarily
 45 sojourning within this state, and who is not within the excepted classes prescribed by ORS 166.270

1 and subsection (1) of this section, from owning, possessing or keeping within the person's place of
 2 residence or place of business any handgun, and no permit or license to purchase, own, possess or
 3 keep any such firearm at the person's place of residence or place of business is required of any such
 4 citizen. As used in this subsection, "residence" includes a recreational vessel or recreational vehicle
 5 while used, for whatever period of time, as residential quarters.

6 (3) Firearms carried openly in belt holsters are not concealed within the meaning of this section.

7 (4)(a) Except as provided in paragraphs (b) and (c) of this subsection, a handgun is readily ac-
 8 cessible within the meaning of this section if the handgun is within the passenger compartment of
 9 the vehicle.

10 (b) If a vehicle, other than a vehicle described in paragraph (c) of this subsection, has no storage
 11 location that is outside the passenger compartment of the vehicle, a handgun is not readily acces-
 12 sible within the meaning of this section if:

13 (A) The handgun is stored in a closed and locked glove compartment, center console or other
 14 container; and

15 (B) The key is not inserted into the lock, if the glove compartment, center console or other
 16 container unlocks with a key.

17 (c) If the vehicle is a motorcycle, an all-terrain vehicle or a snowmobile, a handgun is not
 18 readily accessible within the meaning of this section if:

19 (A) The handgun is in a locked container within or affixed to the vehicle; or

20 (B) The handgun is equipped with a trigger lock or other locking mechanism that prevents the
 21 discharge of the firearm.

22 (5) Unlawful possession of a firearm is a Class A misdemeanor.

23 **SECTION 3.** ORS 166.274 is amended to read:

24 166.274. (1) Except as provided in subsection (11) of this section, a person barred from possessing
 25 or receiving a firearm may file a petition for relief from the bar in accordance with subsection (2)
 26 of this section if:

27 (a) The person is barred from possessing a firearm under ORS 166.250 (1)(c)(A), (C), [*or*] (H) **or**
 28 (I) or 166.270; or

29 (b) The person is barred from receiving a firearm under ORS 166.470 (1)(a) or (b) or, if the per-
 30 son has been convicted of a misdemeanor involving violence, ORS 166.470 (1)(g).

31 (2) A petition for relief described in this section must be filed in the circuit court in the
 32 petitioner's county of residence.

33 (3) A person may apply once per calendar year for relief under the provisions of this section.

34 (4)(a) A person petitioning for relief under this section shall serve a copy of the petition on:

35 (A) The city chief of police if the court in which the petition is filed is located in a city; or

36 (B) The sheriff of the county in which the court is located.

37 (b) The copy of the petition shall be served on the chief of police or sheriff at the same time the
 38 petition is filed at the court.

39 (5)(a) When a petition is denied, the judge shall cause that information to be entered into the
 40 Department of State Police computerized criminal history files.

41 (b) When a petition is granted, the judge shall cause that information and a fingerprint card of
 42 the petitioner to be entered into the Department of State Police computerized criminal history files.
 43 If, after a petition is granted, the petitioner is arrested and convicted of a crime that would dis-
 44 qualify the petitioner from purchasing or possessing a firearm, the Department of State Police shall
 45 notify the court that granted relief under this section. The court shall review the order granting

1 relief and determine whether to rescind the order. The Department of State Police may charge a
 2 reasonable fee, under ORS 192.324, for the entry and maintenance of information under this section.

3 (6) Notwithstanding the provisions of ORS 9.320, a party that is not a natural person, the state
 4 or any city, county, district or other political subdivision or public corporation in this state, without
 5 appearance by attorney, may appear as a party to an action under this section.

6 (7) If the petitioner seeks relief from the bar on possessing or purchasing a firearm, relief shall
 7 be granted when the petitioner demonstrates, by clear and convincing evidence, that the petitioner
 8 does not pose a threat to the safety of the public or the petitioner.

9 (8) Petitions filed under this section shall be heard and disposed of within 15 judicial days of
 10 filing or as soon as is practicable thereafter, but not more than 30 days thereafter. The judge shall
 11 then make findings and conclusions and issue a judgment based on the findings and conclusions in
 12 accordance with the requirements of law.

13 (9) A person filing a petition under this section must pay the filing fee established under ORS
 14 21.135.

15 (10)(a) Initial appeals of petitions shall be heard de novo.

16 (b) Any party to a judgment under this subsection may appeal to the Court of Appeals in the
 17 same manner as for any other civil action.

18 (c) If the governmental entity files an appeal under this subsection and does not prevail, it shall
 19 be ordered to pay the attorney fees for the prevailing party.

20 (11) The court may not grant relief under this section to a person who:

21 (a) Has been convicted of a person felony, as that term is defined in the rules of the Oregon
 22 Criminal Justice Commission, or the statutory counterpart to a person felony in any other jurisdic-
 23 tion, if the offense involved the use of a firearm or a deadly weapon as defined in ORS 161.015;

24 (b) Has been convicted of an offense listed in ORS 137.700 or the statutory counterpart to an
 25 offense listed in ORS 137.700 in any other jurisdiction; or

26 (c) Is currently serving a felony sentence as defined in ORS 10.030 or has served a felony sen-
 27 tence in the one-year period preceding the filing of the petition.

28 **SECTION 4.** ORS 423.478 is amended to read:

29 423.478. (1) The Department of Corrections shall:

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

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

32 (A) Allow tracking of offenders; and

33 (B) Permit analysis of correlations between sanctions, supervision, services and programs, and
 34 future criminal conduct; and

35 (c) Provide interstate compact administration and jail inspections.

36 (2) Subject to ORS 423.483, each county, in partnership with the department, shall assume re-
 37 sponsibility for community-based supervision, sanctions and services for offenders convicted of felo-
 38 nies, designated drug-related misdemeanors, [or] designated person misdemeanors **or threatening a**
 39 **mass injury event under section 1 (2)(a) of this 2024 Act**, who are:

40 (a) On parole;

41 (b) On probation;

42 (c) On post-prison supervision;

43 (d) Sentenced, on or after January 1, 1997, to 12 months or less incarceration;

44 (e) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post-
 45 Prison Supervision to 12 months or less incarceration for violation of a condition of parole, pro-

1 bation or post-prison supervision; or

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

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

11 (a) When the person is released;

12 (b) Within 10 days of a change of residence;

13 (c) Once each year within 10 days of the person's birth date;

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

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

18 (4) As used in this section:

19 (a) "Attends," "institution of higher education," "works" and "carries on a vocation" have the
 20 meanings given those terms in ORS 163A.005.

21 (b) "Designated drug-related misdemeanor" means:

22 (A) Unlawful possession of fentanyl under ORS 475.752 (8)(a);

23 (B) Unlawful possession of methadone under ORS 475.824 (2)(b);

24 (C) Unlawful possession of oxycodone under ORS 475.834 (2)(b);

25 (D) Unlawful possession of heroin under ORS 475.854 (2)(b);

26 (E) Unlawful possession of 3,4-methylenedioxymethamphetamine under ORS 475.874 (2)(b);

27 (F) Unlawful possession of cocaine under ORS 475.884 (2)(b); or

28 (G) Unlawful possession of methamphetamine under ORS 475.894 (2)(b).

29 (c) "Designated person misdemeanor" means:

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

32 (B) Menacing constituting domestic violence if the judgment document is as described in ORS
 33 163.190 (3); or

34 (C) Sexual abuse in the third degree under ORS 163.415.

35 **SECTION 5.** ORS 423.483 is amended to read:

36 423.483. (1)(a) The baseline funding for biennia beginning after June 30, 1999, is the current
 37 service level for the expenses of providing management, support services, supervision and sanctions
 38 for offenders described in ORS 423.478 (2). At a minimum, each biennium's appropriation must be
 39 established at this baseline.

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

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

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

44 (2) If the total state community corrections appropriation is less than the baseline calculated
 45 under subsection (1) of this section, a county may discontinue participation by written notification

1 to the director 180 days prior to implementation of the change. If a county discontinues partic-
 2 ipation, the responsibility for correctional services transferred to the county and the portion of
 3 funding made available to the county under ORS 423.530 revert to the Department of Corrections.
 4 Responsibility for supervision of and provision of correctional services to misdemeanor offenders
 5 does not revert to the department under any circumstances except those of offenders convicted of
 6 designated drug-related misdemeanors, [or] designated person misdemeanors **or threatening a mass**
 7 **injury event under section 1 (2)(a) of this 2024 Act.**

8 (3) As used in this section:

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

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

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

15 **SECTION 6.** ORS 423.483, as amended by section 22, chapter 649, Oregon Laws 2013, section
 16 3, chapter 140, Oregon Laws 2015, and section 2, chapter 341, Oregon Laws 2023, is amended to
 17 read:

18 423.483. (1)(a) The baseline funding for biennia beginning after June 30, 1999, is the current
 19 service level for the expenses of providing management, support services, supervision and sanctions
 20 for offenders described in ORS 423.478 (2). At a minimum, each biennium’s appropriation must be
 21 established at this baseline.

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

24 (2) If the total state community corrections appropriation is less than the baseline calculated
 25 under subsection (1) of this section, a county may discontinue participation by written notification
 26 to the director 180 days prior to implementation of the change. If a county discontinues partic-
 27 ipation, the responsibility for correctional services transferred to the county and the portion of
 28 funding made available to the county under ORS 423.530 revert to the Department of Corrections.
 29 Responsibility for supervision of and provision of correctional services to misdemeanor offenders
 30 does not revert to the department under any circumstances except those of offenders convicted of
 31 designated drug-related misdemeanors, [or] designated person misdemeanors **or threatening a mass**
 32 **injury event under section 1 (2)(a) of this 2024 Act.**

33 (3) As used in this section:

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

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

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

40 **SECTION 7.** ORS 423.525 is amended to read:

41 423.525. (1) A county, group of counties or intergovernmental corrections entity shall apply to
 42 the Director of the Department of Corrections in a manner and form prescribed by the director for
 43 funding made available under ORS 423.500 to 423.560. The application shall include a community
 44 corrections plan. The Department of Corrections shall provide consultation and technical assistance
 45 to counties to aid in the development and implementation of community corrections plans.

1 (2)(a) From July 1, 1995, until June 30, 1999, a county, group of counties or intergovernmental
2 corrections entity may make application requesting funding for the construction, acquisition, ex-
3 pansion or remodeling of correctional facilities to serve the county, group of counties or intergov-
4 ernmental corrections entity. The department shall review the application for funding of
5 correctional facilities in accordance with criteria that consider design, cost, capacity, need, operat-
6 ing efficiency and viability based on the county's, group of counties' or intergovernmental cor-
7 rections entity's ability to provide for ongoing operations.

8 (b)(A) If the application is approved, the department shall present the application with a request
9 to finance the facility with financing agreements to the State Treasurer and the Director of the
10 Oregon Department of Administrative Services. Except as otherwise provided in subparagraph (B)
11 of this paragraph, upon approval of the request by the State Treasurer and the Director of the
12 Oregon Department of Administrative Services, the facility may be financed with financing agree-
13 ments, and certificates of participation issued pursuant thereto, as provided in ORS 283.085 to
14 283.092. All decisions approving or denying applications and requests for financing under this sec-
15 tion are final. No such decision is subject to judicial review of any kind.

16 (B) If requests to finance county correctional facility projects are submitted after February 22,
17 1996, and the requests have not been approved by the department on the date a session of the
18 Legislative Assembly convenes, the requests are also subject to the approval of the Legislative As-
19 sembly.

20 (c) After approval but prior to the solicitation of bids or proposals for the construction of a
21 project, the county, group of counties or intergovernmental corrections entity and the department
22 shall enter into a written agreement that determines the procedures, and the parties responsible, for
23 the awarding of contracts and the administration of the construction project for the approved
24 correctional facility. If the parties are unable to agree on the terms of the written agreement, the
25 Governor shall decide the terms of the agreement. The Governor's decision is final.

26 (d) After approval of a construction project, the administration of the project shall be conducted
27 as provided in the agreement required by paragraph (c) of this subsection. The agreement must re-
28 quire at a minimum that the county, group of counties or intergovernmental corrections entity shall
29 submit to the department any change order or alteration of the design of the project that, singly or
30 in the aggregate, reduces the capacity of the correctional facility or materially changes the services
31 or functions of the project. The change order or alteration is not effective until approved by the
32 department. In reviewing the change order or alteration, the department shall consider whether the
33 implementation of the change order or alteration will have any material adverse impact on the
34 parties to any financing agreements or the holders of any certificates of participation issued to fund
35 county correctional facilities under this section. In making its decision, the department may rely on
36 the opinions of the Department of Justice, bond counsel or professional financial advisers.

37 (3) Notwithstanding ORS 283.085, for purposes of this section, "financing agreement" means a
38 lease purchase agreement, an installment sale agreement, a loan agreement or any other agreement
39 to finance a correctional facility described in this section, or to refinance a previously executed fi-
40 nancing agreement for the financing of a correctional facility. The state is not required to own or
41 operate a correctional facility in order to finance it under ORS 283.085 to 283.092 and this section.
42 The state, an intergovernmental corrections entity, county or group of counties may enter into any
43 agreements, including, but not limited to, leases and subleases, that are reasonably necessary or
44 generally accepted by the financial community for purposes of acquiring or securing financing as
45 authorized by this section. In financing county correctional facilities under this section, "property

1 rights” as used in ORS 283.085 includes leasehold mortgages of the state’s rights under leases of
 2 correctional facilities from counties.

3 (4) Notwithstanding any other provision of state law, county charter or ordinance, a county may
 4 convey or lease to the State of Oregon, acting by and through the Department of Corrections, title
 5 to interests in, or a lease of, any real property, facilities or personal property owned by the county
 6 for the purpose of financing the construction, acquisition, expansion or remodeling of a correctional
 7 facility. Upon the payment of all principal and interest on, or upon any other satisfaction of, the
 8 financing agreement used to finance the construction, acquisition, expansion or remodeling of a
 9 correctional facility, the state shall reconvey its interest in, or terminate and surrender its leasehold
 10 of, the property or facilities, including the financed construction, acquisition, expansion or remodel-
 11 eling, to the county. In addition to any authority granted by ORS 283.089, for the purposes of ob-
 12 taining financing, the state may enter into agreements under which the state may grant to trustees
 13 or lenders leases, subleases and other security interests in county property conveyed or leased to
 14 the state under this subsection and in the property or facilities financed by financing agreements.

15 (5) In connection with the financing of correctional facilities, the Director of the Oregon De-
 16 partment of Administrative Services may bill the Department of Corrections, and the Department
 17 of Corrections shall pay the amounts billed, in the same manner as provided in ORS 283.089. As
 18 required by ORS 283.091, the Department of Corrections and the Oregon Department of Adminis-
 19 trative Services shall include in the Governor’s budget all amounts that will be due in each fiscal
 20 period under financing agreements for correctional facilities. Amounts payable by the state under
 21 a financing agreement for the construction, acquisition, expansion or remodeling of a correctional
 22 facility are limited to available funds as defined in ORS 283.085, and no lender, trustee, certificate
 23 holder or county has any claim or recourse against any funds of the state other than available funds.

24 (6) The director shall adopt rules that may be necessary for the administration, evaluation and
 25 implementation of ORS 423.500 to 423.560. The standards shall be sufficiently flexible to foster the
 26 development of new and improved supervision or rehabilitative practices and maximize local control.

27 (7) When a county assumes responsibility under ORS 423.500 to 423.560 for correctional services
 28 previously provided by the department, the county and the department shall enter into an inter-
 29 governmental agreement that includes a local community corrections plan consisting of program
 30 descriptions, budget allocation, performance objectives and methods of evaluating each correctional
 31 service to be provided by the county. The performance objectives must include in dominant part
 32 reducing future criminal conduct. The methods of evaluating services must include, to the extent
 33 of available information systems resources, the collection and analysis of data sufficient to deter-
 34 mine the apparent effect of the services on future criminal conduct.

35 (8) All community corrections plans shall comply with rules adopted pursuant to ORS 423.500
 36 to 423.560, and shall include but need not be limited to an outline of the basic structure and the
 37 supervision, services and local sanctions to be applied to offenders convicted of felonies, designated
 38 drug-related misdemeanors, [and] designated person misdemeanors **and threatening a mass injury**
 39 **event under section 1 (2)(a) of this 2024 Act** who are:

- 40 (a) On parole;
- 41 (b) On probation;
- 42 (c) On post-prison supervision;
- 43 (d) Sentenced, on or after January 1, 1997, to 12 months or less incarceration;
- 44 (e) Sanctioned, on or after January 1, 1997, by a court or the State Board of Parole and Post-
 45 Prison Supervision to 12 months or less incarceration for a violation of a condition of parole, pro-

1 bation or post-prison supervision; and

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

3 (9) All community corrections plans shall designate a community corrections manager of the
4 county or counties and shall provide that the administration of community corrections under ORS
5 423.500 to 423.560 shall be under such manager.

6 (10) No amendment to or modification of a county-approved community corrections plan shall
7 be placed in effect without prior notice to the director for purposes of statewide data collection and
8 reporting.

9 (11) The obligation of the state to provide funding and the scheduling for providing funding of
10 a project approved under this section is dependent upon the ability of the state to access public
11 security markets to sell financing agreements.

12 (12) No later than January 1 of each odd-numbered year, the Department of Corrections shall:

13 (a) Evaluate the community corrections policy established in ORS 423.475, 423.478, 423.483 and
14 423.500 to 423.560; and

15 (b) Assess the effectiveness of local revocation options.

16 (13) As used in this section, “designated drug-related misdemeanor” and “designated person
17 misdemeanor” have the meanings given those terms in ORS 423.478.

18 **SECTION 8. Beginning no later than January 1, 2027, and biennially thereafter, the**
19 **Oregon Criminal Justice Commission shall report to the relevant interim committees of the**
20 **Legislative Assembly, in the manner described in ORS 192.245, concerning the following in-**
21 **formation pertaining to the previous biennium:**

22 (1) **The number of persons charged with threatening a mass injury event under section**
23 **1 of this 2024 Act, disaggregated by race, age, ethnicity, gender, disability and county;**

24 (2) **To the degree practicable, the number of persons who were victims of the offense**
25 **described in section 1 of this 2024 Act or who were otherwise targeted by a person convicted**
26 **under section 1 of this 2024 Act, disaggregated by race, age, ethnicity, gender, disability and**
27 **county; and**

28 (3) **The amount of moneys distributed to and expended by the Oregon Youth Authority**
29 **and county juvenile departments for the costs of detaining and supervising persons found to**
30 **be within the jurisdiction of the juvenile court under ORS 419C.005 for committing an act**
31 **that, if committed by an adult, would constitute an offense under section 1 of this 2024 Act.**

32 **SECTION 9.** ORS 161.005 is amended to read:

33 161.005. ORS 161.005 to 161.055, 161.065, 161.085 to 161.125, 161.150 to 161.175, 161.190 to
34 161.275, 161.290 to 161.373, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705
35 to 161.737, 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375,
36 162.405 to 162.425, 162.465, 163.005, 163.095, 163.107, 163.115, 163.125 to 163.145, 163.149, 163.160 to
37 163.208, 163.191, 163.196, 163.215 to 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285,
38 163.305 to 163.467, 163.429, 163.432, 163.433, 163.472, 163.505 to 163.575, 163.665 to 163.693, 163.700,
39 163.701, 163.715, 164.005, 164.015 to 164.135, 164.138, 164.140, 164.205 to 164.270, 164.305 to 164.377,
40 164.395 to 164.415, 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118, 165.805, 165.815,
41 166.005 to 166.095, 166.119, 166.125, 166.128, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027,
42 167.057, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340, 167.350,
43 167.810 and 167.820 **and section 1 of this 2024 Act** shall be known and may be cited as Oregon
44 Criminal Code of 1971.

45 **SECTION 10. This 2024 Act takes effect on the 91st day after the date on which the 2024**

1 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**

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