

Enrolled House Bill 3160

Sponsored by COMMITTEE ON JUDICIARY (at the request of Andy Duyck, Chair, Washington County Board of Commissioners)

CHAPTER

AN ACT

Relating to credits for prisoners; amending ORS 169.110 and 169.120; and declaring an emergency.

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

SECTION 1. ORS 169.110 is amended to read:

169.110. (1) Each prisoner convicted of *[any]* **an** offense against the laws of this state, who is confined, in execution of the judgment or sentence upon *[any such]* conviction, including confinement imposed as a condition of probation pursuant to ORS 137.540, in *[any]* a county local correctional facility in this state for a definite term, whose record of conduct shows that the prisoner has faithfully observed all the rules of the facility, *[shall be]* **is** entitled, in the discretion of the sheriff or other officer having custody of such prisoner, to a deduction from the term of the sentence of the prisoner to be calculated as follows, commencing on the first day of the arrival of the prisoner at the facility to serve the sentence of the prisoner:

[(1)] (a) Upon a sentence of not less than 10 *[nor]* **or** more than 30 days, one day for each 10 days.

[(2)] (b) Upon a sentence of more than 30 days but not more than 90 days, three days for each 30-day period.

[(3)] (c) Upon a sentence of more than 90 days but not more than 180 days, four days for each 30-day period.

[(4)] (d) Upon a sentence of more than 180 days but not more than 270 days, five days for each 30-day period.

[(5)] (e) Upon a sentence of more than 270 days, six days for each 30-day period.

(2)(a) Deductions under this section may be allowed for time served in an alternative sentencing facility operated pursuant to a community corrections plan if the county governing body authorizes the allowing of deductions.

(b) For purposes of calculating deductions allowable under paragraph (a) of this subsection, each day served in the facility is counted as a day of confinement.

SECTION 2. ORS 169.120 is amended to read:

169.120. (1)(a) In addition to the allowances provided for in ORS 169.110, all prisoners in a county local correctional facility who are engaged in *[any]* work either inside or outside the facility are entitled to an allowance of credits in time or compensation, or both, for *[such]* **the** work.

(b) The allowances *[shall]* **under paragraph (a) of this subsection may** not be inconsistent with ORS 169.170 to 169.210.

(2)(a) The credits provided by this section [shall] **may** not be in excess of 10 days for a period of 30 days and shall be set by the county court, board of county commissioners or local correctional facility supervisor.

(b) [However,] **Notwithstanding paragraph (a) of this subsection**, in the case of a sentence of not less than 10 [nor] **or** more than 30 days the credits provided by this section are one day of credit for each 10 days of sentence.

(3)(a) **Credits under this section may be allowed for time served in an alternative sentencing facility operated pursuant to a community corrections plan if the county governing body authorizes the allowing of credits.**

(b) **For purposes of calculating credits allowable under paragraph (a) of this subsection, each day served in the facility is counted as a day of confinement.**

SECTION 3. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by House April 11, 2011

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

Passed by Senate May 17, 2011

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2011

Approved:

.....M,....., 2011

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2011

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Kate Brown, Secretary of State