

# Enrolled House Bill 2250

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Department of Corrections)

CHAPTER .....

## AN ACT

Relating to inmate release plan submission deadlines; amending ORS 144.096; and declaring an emergency.

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

**SECTION 1.** ORS 144.096 is amended to read:

144.096. (1)(a) The Department of Corrections shall prepare a proposed release plan for an inmate [*prior to the inmate's release from prison.*]

[(b)] [*The department shall*] **and** submit the proposed release plan to the State Board of Parole and Post-Prison Supervision [*not less than 75 days*] prior to the inmate's release.

[(c)] **(b)** If the proposed release plan is not approved by the board, the board shall return the plan to the department with its recommended modifications. The department shall submit a revised plan to the board [*not less than 25 days*] prior to the inmate's release.

[(d)] **(c)** If the revised plan is not acceptable to the board, the board shall determine the provisions of the final plan prior to the inmate's release.

**(d) The department, in consultation with the board, shall by rule establish deadlines by which a proposed release plan described in paragraph (a) of this subsection and a revised plan described in paragraph (b) of this subsection must be submitted to the board prior to an inmate's release.**

(e) If an inmate was sentenced under section 29, chapter 649, Oregon Laws 2013, and the release plan recommends that the inmate participate in a reentry court, the board shall provide a copy of the release plan to the reentry court.

(2) The local supervisory authority that is responsible for correctional services for an inmate shall prepare a proposed release plan for the inmate prior to the inmate's release from jail. The local supervisory authority shall approve the release plan under its rules. If the inmate was sentenced under section 29, chapter 649, Oregon Laws 2013, and the supervisory authority recommends that the inmate participate in a reentry court, the supervisory authority shall provide a copy of the release plan to the reentry court.

(3) A release plan prepared under subsection (1) or (2) of this section must include:

(a) A description of support services and program opportunities available to the inmate;

(b) The recommended conditions of post-prison supervision;

(c) The level of supervision that shall be consistent with the inmate's risk assessment classification;

(d) Any other conditions and requirements as may be necessary to promote public safety;

(e) For all inmates whose sentence to make restitution under ORS 137.106 has been suspended for the term of imprisonment, a restitution payment schedule; and

(f) Any conditions necessary to assist the reformation of the inmate.

**SECTION 2.** ORS 144.096, as amended by section 35, chapter 649, Oregon Laws 2013, is amended to read:

144.096. (1)(a) The Department of Corrections shall prepare a proposed release plan for an inmate [*prior to the inmate's release from prison.*]

[(b)] [*The department shall*] **and** submit the proposed release plan to the State Board of Parole and Post-Prison Supervision [*not less than 60 days*] prior to the inmate's release.

[(c)] (b) If the proposed release plan is not approved by the board, the board shall return the plan to the department with its recommended modifications. The department shall submit a revised plan to the board [*not less than 10 days*] prior to the inmate's release.

[(d)] (c) If the revised plan is not acceptable to the board, the board shall determine the provisions of the final plan prior to the inmate's release.

**(d) The department, in consultation with the board, shall by rule establish deadlines by which a proposed release plan described in paragraph (a) of this subsection and a revised plan described in paragraph (b) of this subsection must be submitted to the board prior to an inmate's release.**

(2) The local supervisory authority that is responsible for correctional services for an inmate shall prepare a proposed release plan for the inmate prior to the inmate's release from jail. The local supervisory authority shall approve the release plan under its rules.

(3) A release plan prepared under subsection (1) or (2) of this section must include:

(a) A description of support services and program opportunities available to the inmate;

(b) The recommended conditions of post-prison supervision;

(c) The level of supervision that shall be consistent with the inmate's risk assessment classification;

(d) Any other conditions and requirements as may be necessary to promote public safety;

(e) For all inmates whose sentence to make restitution under ORS 137.106 has been suspended for the term of imprisonment, a restitution payment schedule; and

(f) Any conditions necessary to assist the reformation of the inmate.

**SECTION 3. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.**

**Passed by House April 11, 2017**

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate May 3, 2017**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2017

**Approved:**

.....M,....., 2017

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2017

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Dennis Richardson, Secretary of State