

B-Engrossed
House Bill 2172

Ordered by the Senate June 10
Including House Amendments dated April 20 and Senate Amendments
dated June 10

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

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.

Expands eligibility for earned reduction in supervision to include persons on any type of super-
vision who are not serving sentence for disqualifying crime. **Specifies that rules adopted by De-
partment of Corrections to carry out program must include notification of eligibility and
standards for determining when person has earned reduction.**

A BILL FOR AN ACT

1
2 Relating to sentencing; creating new provisions; and amending ORS 137.633.

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

4 **SECTION 1.** ORS 137.633 is amended to read:

5 137.633. (1) A person convicted of a felony or a designated drug-related misdemeanor and sen-
6 tenced to probation, **to post-prison supervision** or to the legal and physical custody of the **De-**
7 **partment of Corrections or the** supervisory authority under ORS 137.124 (2) is eligible for a
8 reduction in the period of probation or [*local control*] post-prison supervision for complying with
9 terms of probation or post-prison supervision, including **demonstrating a commitment to** the
10 payment of restitution **to the extent the person is able to pay**, and participation in recidivism
11 reduction programs.

12 (2) The maximum reduction under this section may not exceed 50 percent of the period of pro-
13 bation or [*local control*] post-prison supervision imposed.

14 (3) A reduction under this section may not be used to shorten the period of probation or [*local*
15 *control*] post-prison supervision to less than six months.

16 (4) **A person serving a sentence described as follows is not eligible for a reduction in the**
17 **term of supervision under this section:**

18 (a) **A sentence for a crime described in ORS 163.095, 163.107, 163.115, 163.118, 163.125,**
19 **163.149, 163.185, 163.225, 163.235, 163.365, 163.375, 163.395, 163.405, 163.408, 163.411, 163.427,**
20 **163.670, 164.325, 164.415 or 167.017;**

21 (b) **A sentence for attempt or conspiracy to commit a crime described in ORS 163.095,**
22 **163.107 or 163.115;**

23 (c) **A sentence for a crime committed prior to November 1, 1989;**

24 (d) **A sentence imposed under the provisions of ORS 161.610;**

25 (e) **A sentence imposed under the provisions of ORS 161.725 and 161.735;**

26 (f) **A sentence imposed under the provisions of ORS 137.635;**

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 **(g) A sentence imposed under the provisions of ORS 137.690, 164.061, 475.907, 475.925,**
2 **475.930 or 813.011; or**

3 **(h) A term of supervision subject to ORS 144.103.**

4 [(4)(a)] **(5)(a)** The Department of Corrections shall adopt rules to carry out the provisions of this
5 section.

6 **(b) The rules adopted under this subsection shall include but are not limited to:**

7 **(A) Rules creating processes for early and ongoing notification of eligibility for an earned**
8 **reduction in supervision under this section to persons on supervision; and**

9 **(B) Rules establishing consistent standards for determining when a person on supervision**
10 **is in compliance with the requirements for, and has succeeded in, earning a reduction in**
11 **supervision under this section.**

12 [(b)] **(c)** The supervisory authority shall comply with the rules adopted under this [section]
13 **subsection.**

14 [(5)] **(6)** As used in this section[:],

15 [(a)] “designated drug-related misdemeanor” has the meaning given that term in ORS 423.478.

16 [(b)] “*Local control post-prison supervision*” means *post-prison supervision that is supervised by a*
17 *local supervisory authority pursuant to ORS 144.101.*]

18 **SECTION 2. The amendments to ORS 137.633 by section 1 of this 2021 Act apply to sen-**
19 **tences imposed on or after the effective date of this 2021 Act.**

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