

SB 497-1
(LC 3049)
2/4/21 (JLM/ps)

Requested by Senator GORSEK

**PROPOSED AMENDMENTS TO
SENATE BILL 497**

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the
2 line and insert “137.633, 163.160, 163.190.”.

3 On page 2, delete lines 11 through 45.

4 On page 3, delete lines 1 through 16 and insert:

5 **“SECTION 3.** ORS 423.478, as amended by section 20, chapter 2, Oregon
6 Laws 2021 (Ballot Measure 110 (2020)), is amended to read:

7 “423.478. (1) The Department of Corrections shall:

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

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

11 “(A) Allow tracking of offenders; and

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

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

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

19 “(a) On parole;

20 “(b) On probation;

21 “(c) On post-prison supervision;

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

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

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

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

17 “(a) When the person is released;

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

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

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

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

24 “(4) As used in this section:

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

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

28 “(A) Unlawful possession of methadone under ORS 475.824 (2)(c);

29 “(B) Unlawful possession of oxycodone under ORS 475.834 (2)(c);

30 “(C) Unlawful possession of heroin under ORS 475.854 (2)(c);

1 “(D) Unlawful possession of 3,4-methylenedioxymethamphetamine under
2 ORS 475.874 (2)(c);

3 “(E) Unlawful possession of cocaine under ORS 475.884 (2)(c); or

4 “(F) Unlawful possession of methamphetamine under ORS 475.894 (2)(c).

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

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

8 **“(B) Menacing constituting domestic violence as described in ORS**
9 **163.190 (3); or**

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

11 On page 6, delete lines 13 through 45 and delete page 7.

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