

# House Bill 4120

Sponsored by Representatives MARSH, MANNIX, DEXTER, BOICE, BYNUM, HARTMAN, NOSSE, OWENS, VALDERRAMA, Senators FINDLEY, PATTERSON, PROZANSKI, SMITH DB; Representative HELFRICH (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 a grant program to help some people in custody with opioid addiction. The Act gives money to a state agency to fund the grant program. The Act tells the state agency to give a report to the state legislature by December 1, 2024. (Flesch Readability Score: 62.5).

Establishes the Oregon Jail-Based Medications for Opioid Use Disorder Grant Program in the Oregon Criminal Justice Commission. Directs the commission to administer the program in collaboration with the Oregon Health Authority.

Establishes the Oregon Jail-Based Medications for Opioid Use Disorder Fund for purposes related to the program. Appropriates moneys for deposit in the fund.

Requires the commission to submit a report on the program to the interim committees of the Legislative Assembly related to the judiciary and health care no later than December 1, 2024.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to opioid use disorder treatment in correctional facilities in Oregon not operated by the  
3 Department of Corrections; and declaring an emergency.

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

5 **SECTION 1. Definitions. As used in sections 1 to 5 of this 2024 Act:**

6 (1) **"Local correctional facility" has the meaning given that term in ORS 169.005.**

7 (2) **"Tribal correctional facility" means a jail or prison in Oregon that is operated by a  
8 federally recognized tribe and confines persons for more than 36 hours.**

9 **SECTION 2. Establishment of grant program; purpose; agency collaboration. (1) The  
10 Oregon Jail-Based Medications for Opioid Use Disorder Grant Program is established in the  
11 Oregon Criminal Justice Commission to provide opioid use disorder treatment and transition  
12 planning services to persons in custody in local correctional facilities and tribal correctional  
13 facilities.**

14 (2) **The commission, in collaboration with the Oregon Health Authority, shall administer  
15 the grant program. At minimum, the commission and authority shall collaborate to provide  
16 grant recipients support with technical assistance and best practices.**

17 **SECTION 3. Program eligibility; mandatory rural and tribal set-aside; authority to con-  
18 tract with third party for technical assistance. (1) The Oregon Criminal Justice Commission  
19 shall award grants to cities and counties in Oregon that operate a local correctional facility  
20 and to federally recognized tribes in Oregon that operate a tribal correctional facility.**

21 (2) **Applicants may submit an individual application or a joint application in partnership  
22 with other local correctional facilities or tribal correctional facilities.**

23 (3) **At least 10 percent of total moneys awarded to grant recipients must be awarded to  
24 local correctional facilities in rural areas, as defined by the commission by rule, or tribal**

**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 correctional facilities. If any amount of the 10 percent is not awarded during an initial ap-  
 2 plication cycle, the remaining amount may be awarded to any otherwise eligible local  
 3 correctional facility or tribal correctional facility under a supplemental application cycle.

4 (4) The commission may enter a contract with a third party to provide statewide tech-  
 5 nical assistance to grant recipients.

6 (5) The commission shall consider geographic equity when awarding grant funds.

7 **SECTION 4. Allowable uses.** Moneys awarded to grant recipients under section 3 of this  
 8 2024 Act may be used to:

9 (1) Provide medication, telemedicine or any other reasonable treatment to persons in  
 10 custody with an opioid use disorder.

11 (2) Develop or operate mobile or nonmobile opioid treatment units.

12 (3) Administer screenings for opioid use disorder or risk of acute withdrawal.

13 (4) Facilitate transition planning services for persons in custody who seek or receive  
 14 opioid use disorder treatment.

15 (5) Undertake any other actions reasonably calculated to mitigate operational or struc-  
 16 tural barriers to providing opioid use disorder treatment in local correctional facilities or  
 17 tribal correctional facilities, including but not limited to mitigating any lack of secure stor-  
 18 age for medication.

19 **SECTION 5. Rules.** The commission shall adopt rules necessary to administer sections 1  
 20 to 5 of this 2024 Act. The rules, at minimum, must:

21 (1) Establish a methodology for reviewing and approving grant applications and awarding  
 22 grants.

23 (2) Require applicants to submit a statement acknowledging that any grant funds re-  
 24 ceived must be expended in accordance with the allowable uses described in section 4 of this  
 25 2024 Act.

26 (3) Require applicants to submit a letter of commitment from each administrator of a  
 27 local correctional facility or tribal correctional facility, who is associated with the applica-  
 28 tion, committing to participate in good faith in the grant program.

29 (4) Define “rural” for purposes of section 3 (3) of this 2024 Act.

30 **SECTION 6. Grant advisory committee.** (1) The commission shall convene an advisory  
 31 committee to evaluate applications and make recommendations to the commission for the  
 32 awarding of grants under section 3 of this 2024 Act.

33 (2) The chairperson of the commission shall exercise discretion to appoint members to  
 34 serve on the advisory committee.

35 **SECTION 7. The Oregon Jail-Based Medications for Opioid Use Disorder Fund.** (1) The  
 36 Oregon Jail-Based Medications for Opioid Use Disorder Fund is established in the State  
 37 Treasury, separate and distinct from the General Fund. Interest earned by the Oregon Jail-  
 38 Based Medications for Opioid Use Disorder Fund shall be credited to the fund. The fund  
 39 consists of moneys appropriated or otherwise transferred to the fund by the Legislative As-  
 40 sembly.

41 (2) Moneys in the fund are continuously appropriated to the Oregon Criminal Justice  
 42 Commission for the purposes of carrying out sections 1 to 5 of this 2024 Act.

43 **SECTION 8. Legislative report.** No later than December 1, 2024, the commission shall  
 44 submit a report, in the manner provided in ORS 192.245, to the interim committees of the  
 45 Legislative Assembly related to the judiciary and health care. The report must include:

1       **(1) The name of each recipient of a grant under section 3 of this 2024 Act and the amount**  
2 **of moneys each grant recipient has received to date.**

3       **(2) Opportunities, if any, for local correctional facilities or tribal correctional facilities**  
4 **to obtain medications for opioid use disorder from state agencies.**

5       **(3) Any other information relevant to the provision of opioid use disorder treatment to**  
6 **persons in custody in local correctional facilities or tribal correctional facilities.**

7       **SECTION 9. Repeal.** Section 8 of this 2024 Act is repealed on January 2, 2025.

8       **SECTION 10. Appropriation.** In addition to and not in lieu of any other appropriation,  
9 there is appropriated to the Oregon Criminal Justice Commission, for the biennium ending  
10 June 30, 2025, out of the General Fund, the amount of \$10,000,000 for deposit in the Oregon  
11 Jail-Based Medications for Opioid Use Disorder Fund established under section 7 of this 2024  
12 Act.

13       **SECTION 11. Captions.** The section captions used in this 2024 Act are provided only for  
14 the convenience of the reader and do not become part of the statutory law of this state or  
15 express any legislative intent in the enactment of this 2024 Act.

16       **SECTION 12. Effective date.** This 2024 Act being necessary for the immediate preserva-  
17 tion of the public peace, health and safety, an emergency is declared to exist, and this 2024  
18 Act takes effect on its passage.