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To: Capital Construction Subcommittee
From: Chelsey Herrmann, Legislative Fiscal Office
Date: June 20, 2025
Subject: HB 2005 – Relating to behavioral health
Work Session Recommendations

HB 2005 modifies the circumstances when an individual with a mental illness may be detained and committed to the Oregon Health Authority (OHA) for involuntary treatment.

The measure modifies several definitions related to civil and criminal involuntary hospitalizations and treatment for mental health, including specifying the circumstances when a community mental health director may offer diversion from commitment, and the circumstances and timeframes a defendant may be committed to the custody of a state mental hospital if a court deems the defendant lacks fitness to proceed in a court hearing.

Additionally, the measure requires the Oregon Judicial Department (OJD) to study tribal and state interactions relating to the involuntary hospitalization and mental or behavioral health treatment of tribal members in state civil or criminal justice systems and establishes the Task Force on the Intersection of Tribal and State Forensic Behavioral Health. The measure specifies the membership of the task force and provides that OJD is to support the task force.

The -A5 amendment adds budgetary authority of \$6.5 million total funds for OHA and the Public Defense Commission (PDC). A \$5.4 million General Fund appropriation is made to OHA for payments made to community mental health programs regarding civil commitments and \$1.1 million General Fund is appropriated to PDC for the purpose of providing public defense to financially eligible persons.

The measure declares an emergency and takes effect on passage; however, several provisions of the measure are operative January 1, 2026. Additionally, the provisions relating to the task force are repealed January 2, 2027, and the provisions relating to restoration time limits are repealed on January 1, 2028.

Amendment

LFO recommends adoption of the –A5 amendment.

MOTION: I move adoption of the –A5 amendment to HB 2005. *(vote)*

Final Subcommittee Action

LFO recommends that HB 2005, as amended by the –A5 amendment, be moved to the Ways and Means Full Committee.

MOTION: I move HB 2005, as amended, to the Full Committee with a do pass recommendation. *(vote)*

Carriers

Full Committee:

House Floor:

Senate Floor: