



Open Government Impact Statement

83rd Oregon Legislative Assembly
2025 Regular Session

Measure: HB 2005 - B

Only impacts on Original or Engrossed
Versions are Considered Official

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Date: 6/24/2025

SUMMARY

Digest: Changes the laws on when people who are mentally ill can be made to get treatment. Changes the laws on what happens to a person charged with a crime who is not fit to go to trial. Changes the laws on some facility siting. (Flesch Readability Score: 80.4).

Describes when a person is in need of treatment because the person is a danger to self, a danger to others, unable to provide for basic personal needs or has a chronic mental disorder. Describes the evidence that the court may consider when determining whether a person is in need of treatment because the person is a danger to self, a danger to others, unable to provide for basic personal needs or has a chronic mental disorder.

Modifies the diversion from commitment process. Creates a new procedure for determining when a person is incapacitated for purposes of a declaration for mental health treatment. Modifies the declaration for mental health treatment form. Describes when a declaration for mental health treatment obviates the need for involuntary treatment.

Modifies provisions regarding the sharing of information regarding certain persons receiving mental health treatment.

Includes certain attempted criminal conduct in the types of criminal conduct for which a person may be committed as an extremely dangerous person with mental illness.

Directs the Judicial Department to collect and analyze data regarding tribal and state interactions relating to certain involuntary treatment of tribal members. Establishes the Task Force on the Intersection of Tribal and State Forensic Behavioral Health.

Establishes maximum periods of commitment and community restoration services for criminal defendants determined to lack fitness to proceed. Establishes procedures for requesting extensions to the maximum periods up to a specified total time period. Sunsets the maximum periods on January 1, 2028.

Modifies the process for court determinations on fitness to proceed. Specifies what the court may consider when making the determination and procedures for the hearing on the determination.

Directs the court to determine, upon finding a defendant to lack fitness to proceed, whether the defendant may only be discharged to certain secure facilities.

Modifies the process by which a committed defendant, determined to no longer require a hospital level of care, is discharged to other placements. Establishes procedures for objecting to proposed placements and court procedures when no placements are identified.



Requires local governments to allow, within an urban growth boundary, siting of residential treatment facilities, residential treatment homes or crisis stabilization centers within additional land use zones.

Appropriates moneys from the General Fund to the Oregon Health Authority for the Behavioral Health Division for payments made to community mental health programs for civil commitments.

Appropriates moneys from the General Fund to the Oregon Public Defense Commission for providing public defense to financially eligible persons in civil commitment proceedings.

Declares an emergency, effective on passage.

NOTICE OF NO OPEN GOVERNMENT IMPACT