A-Engrossed
House Bill 2555

Ordered by the House April 7
Including House Amendments dated April 7

Sponsored by Representative NELSON, Senator MANNING JR; Representatives ANDERSEN, CHAICHI, CHOTZEN, PHAM H, RUIZ, Senators FREDERICK, GELSER BLOUIN, GORSEK, PHAM K, PROZANSKI, REYNOLDS (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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act makes changes to a pilot program for family sentencing in court. (Flesch Readability Score: 63.4).

Changes the name of the Family Sentencing Alternative Pilot Program to the Family Sentencing Alternative Program. Makes the program permanent. Modifies eligibility requirements for the program to include all sentences for which a defendant is eligible for a downward dispositional departure.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to sentencing; creating new provisions; amending section 1, chapter 673, Oregon Laws 2017; repealing sections 1 and 4, chapter 830, Oregon Laws 2015; and declaring an emergency.

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

FAMILY SENTENCING ALTERNATIVE PROGRAM

SECTION 1. (1) The Department of Corrections, in partnership with the circuit court and community corrections agencies of participating counties and the Department of Human Services, shall establish the Family Sentencing Alternative Program.

(2) A defendant is eligible for the Family Sentencing Alternative Program if:

(a) The defendant's presumptive sentence under the sentencing guidelines of the Oregon Criminal Justice Commission is a term of imprisonment in the legal and physical custody of the Department of Corrections of at least one year; and

(b) The defendant is pregnant at the time of sentencing or is the parent or legal guardian of a minor child and at the time of the offense or sentencing had physical custody of the child.

(3)(a) If the defendant meets the eligibility requirements described in subsection (2) of this section and is eligible for a downward dispositional departure under the rules of the Oregon Criminal Justice Commission, the court may order that the defendant sign a release authorizing the Department of Human Services to provide the community corrections agency with written confirmation of, and consultation concerning, any open or current juvenile dependency proceeding or any prior substantiated allegation of abuse or neglect involving the defendant and a minor child.

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.

(b) The court may consider eligibility in the Family Sentencing Alternative Program as a mitigating factor when determining whether to sentence the defendant to probation, with a requirement that the defendant participate in the program as a condition of probation, as a downward dispositional departure under the rules of the commission.

(4) After receipt of the information described in subsection (3) of this section, the community corrections agency, in consultation with the Department of Human Services, shall determine if the Family Sentencing Alternative Program is an appropriate program for the defendant and, if the program is appropriate and the defendant is sentenced to a term of probation, require participation in the program for the probationary sentence. In addition to the conditions of probation ordered under ORS 137.540, the defendant may be required to comply with any additional conditions related to the program, including but not limited to:

(a) Geographical restrictions, including house arrest and electronic surveillance;

(b) Participation in vocational training; and

(c) Completion of:

(A) Parenting skills classes;

(B) Drug or alcohol treatment;

(C) Mental health treatment; or

(D) Life skills classes.

(5) The Department of Human Services and community corrections agencies shall cooperate with the Department of Corrections in implementing the Family Sentencing Alternative Program described in this section.

(6) The Department of Human Services and the Department of Corrections shall jointly submit a report concerning the Family Sentencing Alternative Program, which must include program outcomes and data related to the efficacy of the program, and which may include recommendations for legislation, in the manner provided by ORS 192.245, to the interim committees of the Legislative Assembly related to the judiciary no later than January 1 of each year.

(7) The Department of Corrections shall establish a process for selecting counties to participate in the Family Sentencing Alternative Program.

(8) The Department of Corrections and the Department of Human Services may adopt rules to carry out the provisions of this section.

(9) Services provided under the Family Sentencing Alternative Program must be culturally specific and gender-responsive whenever possible.

SECTION 2. (1) Section 1, chapter 830, Oregon Laws 2015, as amended by section 2, chapter 673, Oregon Laws 2017, is repealed.

(2) Section 4, chapter 830, Oregon Laws 2015, is repealed.

SECTION 3. The Legislative Assembly intends that if this 2025 Act becomes law after June 30, 2025, section 1 of this 2025 Act shall be operative retroactively to June 30, 2025. All actions consistent with section 1 of this 2025 Act taken by the Department of Corrections, the Department of Human Services, a circuit court or a community corrections agency of a participating county, after June 30, 2025, and prior to the effective date of this 2025 Act are hereby ratified and approved.

CONFORMING AMENDMENTS

SECTION 4. Section 1, chapter 673, Oregon Laws 2017, is amended to read:

Sec. 1. Sections 7**,** [*to*] **8 and** 10 [*of this 2017 Act*]**, chapter 673, Oregon Laws 2017**, **section 5, chapter 98, Oregon Laws 2018, section 1 of this 2025 Act,** the amendments to ORS 137.717 and 421.168 [*and section 1, chapter 830, Oregon Laws 2015,*] by sections [*2,*] 4, 5 and 6 [*of this 2017 Act*]**, chapter 673, Oregon Laws 2017,** and the repeal of section 16, chapter 649, Oregon Laws 2013, by section 3 [*of this 2017 Act*]**, chapter 673, Oregon Laws 2017,** shall be known and may be cited as the Safety and Savings Act.

CAPTIONS

SECTION 5. The unit captions used in this 2025 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2025 Act.

EFFECTIVE DATE

SECTION 6. This 2025 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect on its passage.