

HOUSE AMENDMENTS TO HOUSE BILL 3118

By COMMITTEE ON JUDICIARY

April 9

1 On page 1 of the printed bill, delete lines 5 through 26.

2 On page 2, delete lines 1 through 25 and insert:

3 “**SECTION 1.** ORS 421.076 is amended to read:

4 “421.076. *[(1) The Department of Corrections may enter into a contract with an inmate telephone*
5 *services provider in which the provider provides inmate telephone services or other inmate communi-*
6 *cations systems at the provider’s cost and reimburses the department.]*

7 “[*(a) For the department’s internal and external costs to oversee and manage the inmate telephone*
8 *services or communications system; and]*

9 “[*(b) To pay third party providers.]*

10 “[*(2) The department may not enter into a contract with an inmate telephone services provider that*
11 *authorizes the department to receive a fee or commission for telephone services provided to inmates*
12 *other than the reimbursement described in subsection (1) of this section.]*

13 “**(1) The Department of Corrections shall enter into a contract, or renegotiate an existing**
14 **contract, with a third party to provide voice communications services to all persons confined**
15 **at a Department of Corrections institution.**

16 “**(2)(a) For any person confined at a Department of Corrections institution who accesses**
17 **60 minutes or more of voice communications services on a specific day, the department shall**
18 **provide at least 60 minutes of the services at no direct or indirect cost to the person confined**
19 **at the Department of Corrections institution or the person who is communicating with the**
20 **person confined at the Department of Corrections institution.**

21 “**(b) For any person confined at a Department of Corrections institution who accesses**
22 **fewer than 60 minutes of voice communications services on a specific day, the department**
23 **shall provide the services at no direct or indirect cost to the person confined at the De-**
24 **partment of Corrections institution or the person who is communicating with the person**
25 **confined at the Department of Corrections institution.**

26 “**(3) The department may not receive any financial or in-kind compensation from any**
27 **third party provider in relation to the provision of voice communications services under**
28 **subsection (1) of this section.**

29 “**(4)(a) Except pursuant to rules adopted by the department, the department may not**
30 **limit access to voice communications services for persons confined at a Department of Cor-**
31 **rections institution.**

32 “**(b) Notwithstanding paragraph (a) of this subsection, the department may not limit ac-**
33 **cess to in-person visitations or voice communications services to offset the cost or time of**
34 **administering this section.**

35 “**(5)(a) The department shall submit a report in the manner provided by ORS 192.245, and**

1 may include recommendations for legislation, to the interim committees of the Legislative
2 Assembly related to the judiciary no later than September 15 of each even-numbered year.

3 “(b) The report must include:

4 “(A) A copy of any contract for voice communications services entered into by the de-
5 partment and a third party under subsection (1) of this section, including any amendments
6 to the contract;

7 “(B) A detailed accounting of expenditures by the department during the prior biennium
8 to administer this section; and

9 “(C) Data on the usage of all voice communications services by persons confined at a
10 Department of Corrections institution, including monthly data disaggregated by the type of
11 communication.

12 “(6) The department may adopt rules necessary to administer this section.

13 “(7) As used in this section, ‘voice communications services’ means voice communication
14 by telephone, cellular telephone, Voice over Internet Protocol or other technology that al-
15 lows for real-time audio communication between people in different locations.”.