

House Bill 3576

Sponsored by Representatives DOBSON, HARTMAN; Representatives NGUYEN H, WALTERS, Senator MEEK

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 tasks the OCJC with creating a formula for giving grant funds to counties for deflection programs. (Flesch Readability Score: 66.3).

Transfers to the Oregon Criminal Justice Commission the responsibility to develop a formula for the distribution of grant funds to counties for deflection programs. Prescribes the factors that the formula must take into account.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to funding for deflection programs; creating new provisions; amending section 76, chapter
3 70, Oregon Laws 2024; and declaring an emergency.

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

5 **SECTION 1. (1) The Oregon Criminal Justice Commission shall develop a formula for the**
6 **distribution of grant funds to counties under section 76, chapter 70, Oregon Laws 2024.**

7 **(2) The formula developed under this section must take into account the following factors**
8 **with regard to each county:**

9 **(a) Rurality;**

10 **(b) The number of law enforcement agencies among which the district attorney's office**
11 **for the county must coordinate;**

12 **(c) The number of nonfatal drug overdoses, as measured by emergency department visits,**
13 **and the number of drug overdose deaths;**

14 **(d) The number of drug-related arrests;**

15 **(e) The number of people experiencing homelessness; and**

16 **(f) The number of people who receive medical assistance, as defined in ORS 414.025.**

17 **SECTION 2. Section 76, chapter 70, Oregon Laws 2024, is amended to read:**

18 **Sec. 76.** (1) As used in this section, "deflection program" means a collaborative program be-
19 tween law enforcement agencies and behavioral health entities that assists individuals who may
20 have substance use disorder, another behavioral health disorder or co-occurring disorders, to create
21 community-based pathways to treatment, recovery support services, housing, case management or
22 other services.

23 (2) The Oregon Behavioral Health Deflection Program is established within the Improving
24 People's Access to Community-based Treatment, Supports and Services Grant Review Committee
25 established under ORS 430.234. The program consists of grants awarded by the committee to coun-
26 ties and federally recognized tribal governments to fund deflection programs.

27 (3)(a) The purpose of the program described in this section is to:

28 (A) Address the need for more deflection programs to assist individuals whose behavioral health

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 conditions, including substance use disorder, lead to interactions with law enforcement,
 2 incarceration, conviction and other engagement with the criminal justice system.

3 (B) Track and report data concerning deflection program outcomes in order to determine the
 4 best practices for deflection programs within this state.

5 (b) ORS 430.230 to 430.236 do not apply to the program described in this section.

6 (4)(a) The committee shall develop a grant application process for awarding grants under this
 7 section.

8 (b) An application for a grant under this section may be submitted by a county or the designee
 9 of a county, or by a tribal government or designee of a tribal government. Only one application per
 10 county may be submitted, but the application may request funding multiple programs within a
 11 county.

12 (c) Prior to submitting an application for a grant under this section, the applicant shall coordi-
 13 nate with all partners of the development and administration of the proposed deflection program to
 14 ensure that the partners have the resources necessary to implement the deflection program. The
 15 partners shall include at least a district attorney, a law enforcement agency, a community mental
 16 health program established under ORS 430.620 and a provider from a Behavioral Health Resource
 17 Network established under ORS 430.389. Partners may also include a treatment provider, a local
 18 mental health authority, a tribal government, a peer support organization, a court or a local gov-
 19 ernment body.

20 (d) An application for a grant under this section must contain:

21 (A) A description of the coordination with program partners required by paragraph (c) of this
 22 subsection that has occurred;

23 (B) A description of the individuals who would be eligible for the program and what qualifies
 24 as a successful outcome, formulated in cooperation with the program partners described in para-
 25 graph (c) of this subsection;

26 (C) A description of how the program for which the applicant is seeking funding is culturally
 27 and linguistically responsive, trauma-informed and evidence-based;

28 (D) A description of a plan to address language access barriers when communicating program
 29 referral options and program procedures to non-English speaking individuals; and

30 (E) A description of how the program coordinator will communicate with program partners
 31 concerning persons participating in the program and any other matter necessary for the adminis-
 32 tration of the program.

33 (5) To be eligible for funding under this section, a deflection program:

34 (a) Must be coordinated by or in consultation with a community mental health program, a local
 35 mental health authority or a federally recognized tribal government;

36 (b) Must have a coordinator with the following program coordinator duties:

37 (A) Convening deflection program partners as needed for the operation of the program;

38 (B) Managing grant program funds awarded under this section; and

39 (C) Tracking and reporting data required by the Oregon Criminal Justice Commission under
 40 section 37, **chapter 70, Oregon Laws 2024** [of this 2024 Act];

41 (c) Must involve the partners described in subsection (4)(c) of this section; and

42 (d) May involve a partnership with one or more of the following entities:

43 (A) A first responder agency other than a law enforcement agency;

44 (B) A community provider;

45 (C) A treatment provider;

1 (D) A community-based organization;

2 (E) A case management provider;

3 (F) A recovery support services provider; or

4 (G) Any other individual or entity deemed necessary by the program coordinator to carry out
5 the purposes of the deflection program, including individuals with lived experience with substance
6 use disorder, a behavioral health disorder or co-occurring disorders.

7 (6) During a grant application period established by the committee, the maximum proportion of
8 grant funds available to an applicant shall be determined as follows:

9 (a) The proportion of grant funds available to an applicant other than a tribal government shall
10 be determined based on the county formula share [*employed*] **developed** by the [*Oversight and Ac-*
11 *countability Council established under ORS 430.388*] **commission under section 1 of this 2025**
12 **Act**, but an applicant may not receive less than \$150,000.

13 (b) The committee shall determine the proportion of funds available to an applicant that is a
14 federally recognized tribal government.

15 (7)(a) Grant funds awarded under this section may be used for:

16 (A) Deflection program expenses including but not limited to law enforcement employees, deputy
17 district attorneys and behavioral health treatment workers, including peer navigators and mobile
18 crisis and support services workers.

19 (B) Behavioral health workforce development.

20 (C) Capital construction of behavioral health treatment infrastructure.

21 (b) Notwithstanding paragraph (a) of this subsection, the committee may award planning grants
22 for the development of deflection programs.

23 (c) The committee may allocate up to three percent of program funds to support grantee data
24 collection and analysis or evaluation of outcome measures.

25 (8) The Oregon Criminal Justice Commission shall provide staff support to the grant program.

26 (9) The committee and the commission may adopt rules to carry out the provisions of this sec-
27 tion.

28 **SECTION 3. Section 1 of this 2025 Act and the amendments to section 76, chapter 70,**
29 **Oregon Laws 2024, by section 2 of this 2025 Act apply to grant funds awarded on or after the**
30 **operative date specified in section 4 of this 2025 Act.**

31 **SECTION 4. (1) Section 1 of this 2025 Act and the amendments to section 76, chapter 70,**
32 **Oregon Laws 2024, by section 2 of this 2025 Act become operative on January 1, 2026.**

33 **(2) The Oregon Criminal Justice Commission may take any action before the operative**
34 **date specified in subsection (1) of this section that is necessary to enable the commission to**
35 **exercise, on and after the operative date specified in subsection (1) of this section, all of the**
36 **duties, functions and powers conferred on the commission by section 1 of this 2025 Act and**
37 **the amendments to section 76, chapter 70, Oregon Laws 2024, by section 2 of this 2025 Act.**

38 **SECTION 5. This 2025 Act being necessary for the immediate preservation of the public**
39 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
40 **on its passage.**

41