

# 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

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

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

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

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

**(a) Rurality;**

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

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

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

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

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

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

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

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

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

(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.

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

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

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

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

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

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

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

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

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

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

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

(E) A description of how the program coordinator will communicate with program partners concerning persons participating in the program and any other matter necessary for the administration of the program.

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

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

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

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

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

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

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

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

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

(B) A community provider;

(C) A treatment provider;

(D) A community-based organization;

(E) A case management provider;

(F) A recovery support services provider; or

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

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

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

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

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

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

(B) Behavioral health workforce development.

(C) Capital construction of behavioral health treatment infrastructure.

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

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

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

(9) The committee and the commission may adopt rules to carry out the provisions of this section.

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

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

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

**SECTION 5. 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.**