

Enrolled
Senate Bill 816

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CHAPTER

AN ACT

Relating to youth; amending ORS 420.005, 420.017 and 420.019.

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

SECTION 1. ORS 420.005 is amended to read:

420.005. As used in ORS 420.005 to 420.048, 420.060 to 420.275, 420.810 to 420.840, 420.905 to 420.915 and 420A.300 to 420A.315, unless the context requires otherwise:

- (1) "Adjudicated youth" has the meaning given that term in ORS 419A.004.
- (2) "Design capacity" means the number of adjudicated youths or other persons a youth correction facility is able to hold based on applicable safety codes and standards.
- (3) "Director" means the Director of the Oregon Youth Authority.
- (4) **"Youth" has the meaning given that term in ORS 419A.004.**
- [(4)] (5) "Youth authority" means the Oregon Youth Authority.
- [(5)] (6) "Youth correction facility" means a facility used for the confinement of adjudicated youths and other persons placed in the legal or physical custody of the youth authority and includes secure regional youth facilities, regional youth accountability camps, regional residential academies and satellites, camps and branches of those facilities.

SECTION 2. ORS 420.017 is amended to read:

420.017. (1) The Oregon Youth Authority shall work collaboratively with the juvenile departments to divert **youths and** adjudicated youths from commitment to [the] youth correction facilities to alternative community services.

(2) The juvenile departments shall develop [a plan] **local diversion plans** for services needed to divert the commitment of [youth] **youths and adjudicated youths** from [the] youth correction facilities, and how these services are to be administered if funds are provided. [The] **A local diversion** plan must include the process the juvenile [departments] **department** will use to provide hearings officers and to conduct preliminary parole revocation hearings.

(3) The youth authority shall administer and coordinate [the] local juvenile diversion plans and **plans for** juvenile crime prevention basic services, **as described by the youth authority by rule**, with county juvenile departments. Juvenile crime prevention basic services may [be used for] **include** detention and other juvenile department services.

(4) The youth authority, in consultation with county juvenile departments and the Youth Development Division, shall adopt rules to coordinate and align the high-risk juvenile crime prevention plans **developed under ORS 417.855[,] and** the juvenile diversion plans and [the] **plans for** juvenile crime prevention basic services **described in this section.**

SECTION 3. ORS 420.019 is amended to read:

420.019. (1)(a) The Oregon Youth Authority may contract with the governing body of a county or two or more counties, if the counties have joined together as a consortium or region, for implementing the diversion plan described in ORS 420.017.

(b) A county or counties that contract with the Oregon Youth Authority under this section shall have access to a continuum of out-of-home placement options including, but not limited to, youth correction facilities and substitute care placements, as defined by the youth authority by rule.

(c) The state and county may agree that the governing body of the county or counties may subcontract for services or that the state will provide services or that the county or counties may subcontract for some services and the state provide other services as stipulated in the contract with the youth authority.

(d) The youth authority is responsible for providing financial oversight and administration of contracts and financial oversight of subcontracts.

(e) The funds provided to implement the diversion plan or provide for out-of-home placement may not be used by a county to supplant moneys otherwise provided to the county juvenile department for services to **youths and** adjudicated [youth] **youths**.

(2)(a) The Oregon Youth Authority shall enter into intergovernmental agreements with a county or, if the counties have joined together as a consortium or region, two or more counties to delineate specific duties necessary to carry out the diversion plan described in ORS 420.017.

(b) The intergovernmental agreement must define the responsibilities of the youth authority and the county or counties and support the mission of the youth authority and the county or counties, taking into consideration public safety, equitable services for **youths and** adjudicated youths and counties, geographic considerations and staffing and funding levels for the youth authority and the county or counties.

(c) The intergovernmental agreement may authorize the performance or transfer of probation and parole services between the youth authority and the county or counties.

(3) The Oregon Youth Authority shall adopt rules, in consultation with the county juvenile departments, to ensure equitable access to a continuum of out-of-home placement options among contracting counties and to develop performance metrics for the diversion plans.

Passed by Senate March 11, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 21, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M.,....., 2025

Approved:

.....M.,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M.,....., 2025

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Tobias Read, Secretary of State