

Requested by Representative CHOTZEN

**PROPOSED AMENDMENTS TO
HOUSE BILL 3118**

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*
5 *an inmate telephone services provider in which the provider provides inmate*
6 *telephone services or other inmate communications systems at the provider’s*
7 *cost and reimburses the department:]*

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

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

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

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

19 **“(2)(a) For any person confined at a Department of Corrections in-**
20 **stitution who accesses 60 minutes or more of voice communications**
21 **services on a specific day, the department shall provide at least 60**

1 minutes of the services at no direct or indirect cost to the person
2 confined at the Department of Corrections institution or the person
3 who is communicating with the person confined at the Department of
4 Corrections institution.

5 “(b) For any person confined at a Department of Corrections insti-
6 tution who accesses fewer than 60 minutes of voice communications
7 services on a specific day, the department shall provide the services
8 at no direct or indirect cost to the person confined at the Department
9 of Corrections institution or the person who is communicating with
10 the person confined at the Department of Corrections institution.

11 “(3) The department may not receive any financial or in-kind com-
12 pensation from any third party provider in relation to the provision
13 of voice communications services under subsection (1) of this section.

14 “(4)(a) Except pursuant to rules adopted by the department, the
15 department may not limit access to voice communications services for
16 persons confined at a Department of Corrections institution.

17 “(b) Notwithstanding paragraph (a) of this subsection, the depart-
18 ment may not limit access to in-person visitations or voice communi-
19 cations services to offset the cost or time of administering this
20 section.

21 “(5)(a) The department shall submit a report in the manner pro-
22 vided by ORS 192.245, and may include recommendations for legis-
23 lation, to the interim committees of the Legislative Assembly related
24 to the judiciary no later than September 15 of each even-numbered
25 year.

26 “(b) The report must include:

27 “(A) A copy of any contract for voice communications services en-
28 tered into by the department and a third party under subsection (1)
29 of this section, including any amendments to the contract;

30 “(B) A detailed accounting of expenditures by the department dur-

1 **ing the prior biennium to administer this section; and**

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

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

7 **“(7) As used in this section, ‘voice communications services’ means**
8 **voice communication by telephone, cellular telephone, Voice over**
9 **Internet Protocol or other technology that allows for real-time audio**
10 **communication between people in different locations.”.**

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