

A-Engrossed
House Bill 3285

Ordered by the House April 22
Including House Amendments dated April 22

Sponsored by COMMITTEE ON JUDICIARY

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.

Authorizes Department of Corrections to assess and collect certain fees from inmates.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to Department of Corrections fees; amending ORS 421.125; and declaring an emergency.

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

4 **SECTION 1.** ORS 421.125 is amended to read:

5 421.125. (1) Upon the discharge or parole of an inmate from the Department of Corrections, the
6 department shall:

7 (a) Ensure that the discharged or paroled inmate is properly clothed; and

8 (b) Provide the discharged or paroled inmate with the following documents:

9 (A) Verification of the inmate's work history while in the custody of the department.

10 (B) Certification of any educational programs completed by the inmate while in the custody of
11 the department.

12 (C) Certification of any treatment programs completed by the inmate while in the custody of the
13 department.

14 (2) It is the responsibility of every inmate of the Department of Corrections, during the inmate's
15 term of imprisonment, to accumulate funds in anticipation of parole, discharge or other authorized
16 prerelease and for the purposes set out in this subsection. The Department of Corrections shall
17 adopt rules to:

18 (a) Safeguard inmate moneys, whether [*such*] **the** moneys are from earnings of the inmate while
19 in a Department of Corrections [*facility*] **institution**, or from other sources, and to provide for dis-
20 bursement of [*such*] **the** moneys to the inmate following the inmate's release from imprisonment;

21 (b) Establish, within appropriations provided for this purpose, a program of release funds to be
22 provided for [*those*] inmates who have not been able to accumulate sufficient moneys to accommo-
23 date [*their*] **the inmates'** release needs;

24 (c) Assess [*fees to the inmate*] **and collect fees** for self-improvement programs, services and as-
25 sistance provided by the department [*when the inmate has*] **to inmates who have sufficient** moneys
26 to pay for [*such*] **the** programs, services and assistance;

27 (d) Permit inmates to purchase elective programs, services or assistance [*which*] **that** are ap-
28 proved [*by, but are*] **but** not provided by[,] the department; [*and*]

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 (e) Assess *[the inmate]* **and collect disciplinary fines and restitution from inmates** for dam-
2 ages or destruction caused by willful misconduct of the *[inmate.] inmates; and*

3 **(f) Assess and collect fees from inmates from funds to be credited to, or received for**
4 **deposit in, inmate trust accounts, not to exceed five percent of the amount of the credit or**
5 **deposit, to offset the costs of administering inmate trust accounts.**

6 (3)(a) An inmate sentenced to the custody of the Department of Corrections by an Oregon court
7 is eligible to apply for release funds for a period up to 90 days following the release of the inmate
8 from the Department of Corrections *[facility]* **institution** by parole or discharge, including a release
9 to the legal custody of another authority in this state.

10 **(b)** *[However, inmates eligible to apply for release funds do not include]* **Notwithstanding para-**
11 **graph (a) of this subsection,** inmates released to the legal custody of another authority in this
12 state for ultimate transfer to the custody of a law enforcement or corrections agency in another
13 state. *An inmate released to the legal custody of another authority in this state is not eligible to apply*
14 *for release funds so long as the person is imprisoned under such authority]* **are not eligible to apply**
15 **for release funds until released by the other authority in this state.**

16 **SECTION 2. This 2011 Act being necessary for the immediate preservation of the public**
17 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
18 **on its passage.**