

# Enrolled House Bill 2462

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary for Oregon State Bar Military and Veterans Law Section)

CHAPTER .....

AN ACT

Relating to persons with military service involved in the criminal justice system.

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

**SECTION 1.** (1) As used in this section, “servicemember” means a person who is a member, or who served as a member, of the Armed Forces of the United States, the reserve components of the Armed Forces of the United States or the National Guard.

(2) At the time of arraignment on a criminal charge, the court shall inform the defendant that the defendant’s status as a servicemember may make the defendant eligible for treatment programs, diversion, specialty courts or mitigated sentencing, and that the defendant may obtain information about these options by consulting with the defendant’s attorney.

(3) In a criminal proceeding the defendant’s attorney may, with the permission of the defendant, notify the court that the defendant is a servicemember.

(4) The fact that a defendant is a servicemember may not be used as an aggravating factor in determining the defendant’s sentence.

Passed by House April 8, 2019

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate April 29, 2019

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2019

Approved:

.....M.,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2019

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Bev Clarno, Secretary of State