

# House Bill 2804

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 **as introduced**.

Removes provision concerning fee paid by person sentenced by court to probation before July 1, 1981, who is subject to supervision by community corrections program.

## A BILL FOR AN ACT

1  
2 Relating to community corrections; amending ORS 423.570.

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

4 **SECTION 1.** ORS 423.570 is amended to read:

5 423.570. (1) A person sentenced to probation or placed by an authority on parole, post-prison  
6 supervision or other form of release, subject to supervision by a community corrections program  
7 established under ORS 423.500 to 423.560, shall [*be required to*] pay a monthly fee to offset costs of  
8 supervising the probation, parole, post-prison supervision or other supervised release.

9 (2) A person sentenced to probation or placed by an authority on parole, post-prison supervision  
10 or other form of release, subject to supervision other than by a community corrections program es-  
11 tablished under ORS 423.500 to 423.560, may be required by the releasing authority to pay a monthly  
12 fee to offset costs of supervising the probation, parole, post-prison supervision or other supervised  
13 release.

14 (3) When a fee is required under subsection (1) of this section, the fee shall be determined and  
15 fixed by the releasing authority but [*shall*] **must** be at least \$25, and if the releasing authority fails  
16 to establish the amount of a released person's required fee, the fee [*shall*] **must** be \$25.

17 (4) Fees are payable one month following the commencement of probation, parole, post-prison  
18 supervision or other supervised release and at one-month intervals thereafter. If the released person  
19 is supervised under county authority, the county shall collect or provide by contract for the col-  
20 lection of the fee from the released person and shall retain the fee to be used by the county for  
21 funding of its community corrections program.

22 (5) [*Except in the case of a probation granted by a court before that date,*] The fee requirements  
23 imposed by this section apply beginning July 1, 1981, to all persons under supervised probation,  
24 parole, post-prison supervision or other form of supervised release pursuant to subsection (1) of this  
25 section, including persons on [*such*] supervised release in this state under any interstate agreement.  
26 Timely payment of the fee is [*hereby made*] a condition of [*such*] probation, parole, post-prison  
27 supervision or other supervised release. [*In the case of a probation granted by a court prior to July*  
28 *1, 1981, the court may amend its order granting probation to provide for payment of the fee.*]

29 (6) In cases of financial hardship or when otherwise advisable in the interest of the released  
30 person's rehabilitation:

31 (a) The community corrections manager may waive or reduce the amount of the fee.

**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           (b) The sentencing court may waive or reduce the amount of the fee for any person whom the  
2 court has sentenced to probation. If any of the fee requirement is reduced by the court, only the  
3 court may restore the requirement.

4

---