House Bill 2232

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Presession filed (at the request of Attorney General Hardy Myers for Attorney General's Restitution Reform Task Force)

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.**

Provides that judgment finding person guilty except for insanity is equivalent to conviction of offense for purposes of imposing monetary obligations.

A BILL FOR AN ACT

Relating to judgment of guilty except for insanity; creating new provisions; and amending ORS 161.325.

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

SECTION 1. ORS 161.325 is amended to read:

161.325. (1) After entry of judgment of guilty except for insanity, the court shall, on the basis of the evidence given at the trial or at a separate hearing, if requested by either party, make an order as provided in ORS 161.327 or 161.329, whichever is appropriate.

(2) If the court makes an order as provided in ORS 161.327, it shall also:

(a) Determine on the record the offense of which the person otherwise would have been convicted; and

(b) Make specific findings on whether there is a victim of the crime for which the defendant has been found guilty except for insanity and, if so, whether the victim wishes to be notified, under ORS 161.326 (2), of any Psychiatric Security Review Board hearings concerning the defendant and of any conditional release, discharge or escape of the defendant.

(3) The court shall include any such findings in its order.

(4) Except under circumstances described in ORS 137.076 (4), whenever a defendant charged with any offense listed in ORS 137.076 (1) has been found guilty of that offense except for insanity, the court shall, in any order entered under ORS 161.327 or 161.329, direct the defendant to submit to the obtaining of a blood or buccal sample in the manner provided in ORS 137.076.

(5) A judgment of guilty except for insanity constitutes a judgment of conviction of the underlying offense for purposes of ORS 137.106, 137.290, 137.293, 137.295 and 161.665.

SECTION 2. The amendments to ORS 161.325 by section 1 of this 2005 Act apply to judgments of guilty except for insanity that are entered for criminal conduct committed on or after the effective date of this 2005 Act.

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.