

Enrolled
House Bill 2323

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary)

CHAPTER

AN ACT

Relating to mental health examinations; creating new provisions; and amending ORS 144.226.

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

SECTION 1. ORS 144.226 is amended to read:

144.226. (1) Any person sentenced under ORS 161.725 and 161.735 as a dangerous offender shall within [60] **120** days prior to the parole consideration hearing under ORS 144.228 or the last day of the required incarceration term established under ORS 161.737 and at least every two years thereafter be given a complete mental and psychiatric or psychological examination by a psychiatrist or psychologist appointed by the State Board of Parole and Post-Prison Supervision. Within 60 days after the examination, the examining psychiatrist or psychologist shall file a written report of findings and conclusions relative to the examination with the Director of the Department of Corrections and chairperson of the State Board of Parole and Post-Prison Supervision.

(2) The examining psychiatrist or psychologist shall include in the report a statement as to whether or not in the psychiatrist's or psychologist's opinion the convicted person has any mental or emotional disturbance, deficiency, condition or disorder predisposing the person to the commission of any crime to a degree rendering the examined person a danger to the health or safety of others. The report shall also contain any other information which the examining psychiatrist or psychologist believes will aid the State Board of Parole and Post-Prison Supervision in determining whether the examined person is eligible for release. The report shall also state the progress or changes in the condition of the examined person as well as any recommendations for treatment. A certified copy of the report shall be sent to the convicted person, to the convicted person's attorney and to the executive officer of the Department of Corrections institution in which the convicted person is confined.

SECTION 2. The amendments to ORS 144.226 by section 1 of this 2005 Act apply to hearings held on or after the effective date of this 2005 Act.

Passed by House February 15, 2005

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Chief Clerk of House

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Speaker of House

Passed by Senate June 22, 2005

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President of Senate

Received by Governor:

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Approved:

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State