

## HOUSE AMENDMENTS TO HOUSE BILL 2766

By COMMITTEE ON JUDICIARY

May 25

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and insert  
2 “423.483.”.

3 Delete lines 4 through 31 and delete pages 2 through 6 and insert:

4 “**SECTION 1.** ORS 423.483 is amended to read:

5 “423.483. (1) The baseline funding for biennia beginning after June 30, [1999, *is the current ser-*  
6 *vice level for the expenses of*] **2007, is based on a forecast of correctional populations from the**  
7 **Oregon Department of Administrative Services and the capitated rate for** providing manage-  
8 ment, support services, supervision and sanctions for offenders described in ORS 423.478 (2). **The**  
9 **baseline is set by multiplying the forecast populations by the capitated rate and adjusting the**  
10 **result for legislative changes that affect the costs of providing management, support ser-**  
11 **vices, supervision and sanctions for offenders described in ORS 423.478 (2) and for cost**  
12 **changes, as described in subsection (2)(c) of this section.** At a minimum, each biennium’s ap-  
13 propriation must be established at this baseline.

14 “(2)(a) **The Department of Corrections shall calculate the capitated rate for each**  
15 **biennium.**

16 “(b) **Beginning in 2006 and every six years thereafter, the Department of Corrections**  
17 **shall conduct a study of the actual costs of providing management, support services, super-**  
18 **vision and sanctions to the offenders described in ORS 423.478 (2). The department shall use**  
19 **the results of the study to adjust capitated rates.**

20 “(c) **For a biennium in which the capitated rates are not adjusted based on a study of the**  
21 **actual costs, the Department of Corrections shall adjust the capitated rates using cost**  
22 **changes for the previous 24 months, as reported by the Bureau of Labor Statistics of the**  
23 **United States Department of Labor in the Employment Cost Index for compensation of state**  
24 **and local government workers.**

25 “[2] (3) If the total state community corrections appropriation is less than the baseline calcu-  
26 lated under subsection (1) of this section, a county may discontinue participation by written notifi-  
27 cation to the director 180 days prior to implementation of the change. If a county discontinues  
28 participation, the responsibility for correctional services transferred to the county, and the portion  
29 of funding made available to the county under ORS 423.530 reverts to the Department of Cor-  
30 rections. In no case does responsibility for supervision and provision of correctional services to  
31 misdemeanor offenders revert to the department.

32 “[3] *As used in this section, ‘current service level’ means the calculated cost of continuing current*  
33 *legislatively funded programs, phased in programs and increased caseloads minus one-time costs, de-*  
34 *creased caseloads, phased out programs and pilot programs with the remainder adjusted for inflation*  
35 *as determined by the Legislative Assembly in its biennial appropriation to the Department of Cor-*

1 *rections.]*".  
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