

A-Engrossed
House Bill 3157

Ordered by the House April 7
Including House Amendments dated April 7

Sponsored by Representatives ACKERMAN, BEYER (at the request of Lane County)

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.

Provides that duty of county court or board of county commissioners to inspect local correctional facilities is discretionary for facilities not operated by county.

A BILL FOR AN ACT

1
2 Relating to local correctional facilities; amending ORS 169.040.

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

4 **SECTION 1.** ORS 169.040 is amended to read:

5 169.040. (1) The county court or board of county commissioners of each county is **the** inspector
6 of the local correctional facilities *[of]* **in** the county *[therein]*. The court or board shall visit *[them]*
7 **local correctional facilities operated by the county** at least once in each regular term[,] and **may**
8 **visit local correctional facilities within the county that are not operated by the county. When**
9 **the court or board visits a local correctional facility, it** shall examine fully into the local
10 correctional facility, *[health,]* **including, but not limited to, the** cleanliness[,] **of the facility and**
11 **the health** and discipline **of the persons confined**. If it appears to the court or board that any
12 provisions of law have been violated or neglected, it shall *[forthwith]* **immediately** give notice of the
13 violation or neglect to the district attorney of the district.

14 (2) The county health officer or the representative of the county health officer *[is authorized*
15 *to]* **may** conduct health and sanitation inspections of local correctional facilities on a semiannual
16 basis. If the county health officer determines that the facility is in an insanitary condition or unfit
17 for habitation for health reasons, the officer *[is authorized to]* **may** notify the appropriate local
18 governmental agency in writing of the required health and sanitation conditions or practices nec-
19 essary to *[insure]* **ensure** the health and sanitation of the facility. If the local governmental agency
20 does not comply with the required health and sanitation conditions or practices within an appro-
21 priate length of time, the county health officer may recommend the suspension of the operation of
22 the local correctional facility to the county board of health. If after a hearing the county board of
23 health finds that the local correctional facility is in an insanitary or unhealthful condition, it may
24 suspend the operation of the facility until such time as *[it]* **the local correctional facility** complies
25 with the recommended health and sanitation conditions and practices.

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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.