

# House Bill 3376

Sponsored by Representative EVANS

## 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act creates the office of the district defender. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 82.4).

Establishes the office of the district defender in each judicial district. Specifies the powers and duties of the district defender.

Modifies the types of entities the Oregon Public Defense Commission may contract with for the provision of public defense services.

Takes effect on the 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to public defense; creating new provisions; amending ORS 1.851, 151.211, 151.216, 151.219  
3 and 423.560 and section 102, chapter 281, Oregon Laws 2023; and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 151.211 to**  
6 **151.221.**

7 **SECTION 2. (1) There is established in each judicial district described in section 3 (1) of**  
8 **this 2025 Act the office of the district defender.**

9 (2) The executive director of the Oregon Public Defense Commission shall appoint a dis-  
10 trict defender for each judicial district described in section 3 (1) of this 2025 Act, subject to  
11 approval by a majority vote of the voting members of the commission. A district defender  
12 serves at the pleasure of the executive director.

13 (3) A district defender, as an employee of the commission, reports to the executive di-  
14 rector and shall receive compensation equal to that of a circuit court judge under ORS  
15 292.416, including any cost of living adjustment described in ORS 292.428.

16 (4) The district defender shall hire and supervise personnel necessary to carry out the  
17 duties of the office and shall maintain and oversee the functions of the office.

18 (5) The district defender shall:

19 (a) Oversee the assignment of all circuit court cases in which counsel is appointed within  
20 the judicial district.

21 (b) Supervise and provide oversight for the panel attorneys described in ORS 151.216 (5).

22 (c) Provide oversight for all public defense provider contracts within the district, includ-  
23 ing but not limited to:

24 (A) Ensuring that all public defense providers within the judicial district are in compli-  
25 ance with contract training requirements.

26 (B) Maintaining current caseload and workload data to ensure compliance with the  
27 caseload policies and workload plans adopted under ORS 151.216.

28 (C) Maintaining current data on attorney turnover within each public defense contracting

**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 entity.

2 (d) Provide or oversee the provision of training to public defense providers within the  
3 district concerning local court rules and procedures.

4 (e) Serve as the public defense representative for advisory committees related to criminal  
5 justice within the district. The district defender may appoint a designee to serve on any  
6 committee.

7 (f) Keep all public defense providers within the district apprised of any relevant changes  
8 in the law or local court rules and any other relevant developments.

9 (g) Maintain data on case assignments within the district and regularly transmit the data  
10 to the commission.

11 (6)(a) The district defender may hire deputy district defenders, subject to the availability  
12 of moneys appropriated for that purpose.

13 (b) If the district defender hires deputy district defenders, the district defender may  
14 designate a chief deputy district defender. A chief deputy district defender may serve as the  
15 district defender in the district defender's absence or if the position is vacant.

16 (c) A deputy district defender may serve as trial counsel in adult criminal cases, repre-  
17 sent parents or children in juvenile cases, appear as specialty court counsel or provide any  
18 other direct client representation necessary to carry out the public defense needs of the ju-  
19 dicial district.

20 (7) The district defender may serve as advice counsel or appear in court as arraignment  
21 counsel, specialty court counsel, or trial counsel.

22 (8) The Oregon Public Defense Commission and the county or counties constituting the  
23 judicial district are responsible for the costs of the office of the district defender as follows:

24 (a) If the office of the district defender consists of the district defender and the district  
25 defender's direct support staff only, the governing body of a county or counties constituting  
26 each judicial district shall provide an appropriate office for the district defender within or  
27 near the county seat. The office must be comparable to the office of the county district at-  
28 torney.

29 (b) If a district defender office employs deputy district defenders, the governing body of  
30 the county or counties is obligated to provide an amount of funds to the district defender  
31 that is equal to the cost of the office for the district defender and direct support staff only.  
32 The district defender shall apply the funds provided by the county under this paragraph to  
33 the costs of operating the offices.

34 (c) The commission is responsible for all office operational and personnel costs not cov-  
35 ered by paragraph (a) or (b) of this subsection.

36 **SECTION 3.** (1) By no later than March 1, 2026, the Oregon Public Defense Commission  
37 and the governing bodies of counties within the following judicial districts shall establish an  
38 office of the district defender described in section 2 of this 2025 Act:

39 (a) The first judicial district, consisting of Jackson County.

40 (b) The third judicial district, consisting of Marion County.

41 (c) The fourth judicial district, consisting of Multnomah County.

42 (d) The eleventh judicial district, consisting of Deschutes County.

43 (e) The fifteenth judicial district, consisting of Coos County and Curry County.

44 (f) The sixteenth judicial district, consisting of Douglas County.

45 (g) The twentieth judicial district, consisting of Washington County.

1       **(2) By no later than March 1, 2030, the governing body of a county or counties consti-**  
 2 **tuting a judicial district not described in subsection (1) of this section shall establish an of-**  
 3 **fice of the district defender described in section 2 of this 2025 Act.**

4       **SECTION 4.** Section 2 of this 2025 Act is amended to read:

5       **Sec. 2.** (1) There is established in each judicial district [*described in section 3 (1) of this 2025*  
 6 *Act*] the office of the district defender.

7       (2) The executive director of the Oregon Public Defense Commission shall appoint a district  
 8 defender for each judicial district [*described in section 3 (1) of this 2025 Act*], subject to approval by  
 9 a majority vote of the voting members of the commission. A district defender serves at the pleasure  
 10 of the executive director.

11       (3) A district defender, as an employee of the commission, reports to the executive director and  
 12 shall receive compensation equal to that of a circuit court judge under ORS 292.416, including any  
 13 cost of living adjustment described in ORS 292.428.

14       (4) The district defender shall hire and supervise personnel necessary to carry out the duties  
 15 of the office and shall maintain and oversee the functions of the office.

16       (5) The district defender shall:

17       (a) Oversee the assignment of all circuit court cases in which counsel is appointed within the  
 18 judicial district.

19       (b) Supervise and provide oversight for the panel attorneys described in ORS 151.216 (5).

20       (c) Provide oversight for all public defense provider contracts within the district, including but  
 21 not limited to:

22       (A) Ensuring that all public defense providers within the judicial district are in compliance with  
 23 contract training requirements.

24       (B) Maintaining current caseload and workload data to ensure compliance with the caseload  
 25 policies and workload plans adopted under ORS 151.216.

26       (C) Maintaining current data on attorney turnover within each public defense contracting entity.

27       (d) Provide or oversee the provision of training to public defense providers within the district  
 28 concerning local court rules and procedures.

29       (e) Serve as the public defense representative for advisory committees related to criminal justice  
 30 within the district. The district defender may appoint a designee to serve on any committee.

31       (f) Keep all public defense providers within the district apprised of any relevant changes in the  
 32 law or local court rules and any other relevant developments.

33       (g) Maintain data on case assignments within the district and regularly transmit the data to the  
 34 commission.

35       (6)(a) The district defender may hire deputy district defenders, subject to the availability of  
 36 moneys appropriated for that purpose.

37       (b) If the district defender hires deputy district defenders, the district defender may designate  
 38 a chief deputy district defender. A chief deputy district defender may serve as the district defender  
 39 in the district defender's absence or if the position is vacant.

40       (c) A deputy district defender may serve as trial counsel in adult criminal cases, represent par-  
 41 ents or children in juvenile cases, appear as specialty court counsel or provide any other direct  
 42 client representation necessary to carry out the public defense needs of the judicial district.

43       (7) The district defender may serve as advice counsel or appear in court as arraignment counsel,  
 44 specialty court counsel, or trial counsel.

45       (8) The Oregon Public Defense Commission and the county or counties constituting the judicial

1 district are responsible for the costs of the office of the district defender as follows:

2 (a) If the office of the district defender consists of the district defender and the district  
 3 defender’s direct support staff only, the governing body of a county or counties constituting each  
 4 judicial district shall provide an appropriate office for the district defender within or near the  
 5 county seat. The office must be comparable to the office of the county district attorney.

6 (b) If a district defender office employs deputy district defenders, the governing body of the  
 7 county or counties is obligated to provide an amount of funds to the district defender that is equal  
 8 to the cost of the office for the district defender and direct support staff only. The district defender  
 9 shall apply the funds provided by the county under this paragraph to the costs of operating the of-  
 10 fices.

11 (c) The commission is responsible for all office operational and personnel costs not covered by  
 12 paragraph (a) or (b) of this subsection.

13 **SECTION 5.** ORS 151.211, as amended by section 93, chapter 281, Oregon Laws 2023, is  
 14 amended to read:

15 151.211. For purposes of ORS 151.211 to 151.221:

16 (1) “Appointed counsel” includes trial-level and appellate attorneys who are employees of the  
 17 Oregon Public Defense Commission, attorneys [*employed by a nonprofit public defense organization*]  
 18 **who provide public defense services as part of an entity that contracts with the commission**  
 19 and attorneys [*on the panel of qualified counsel described in ORS 151.216 (5)*] who contract **directly**  
 20 with the commission to provide public defense services, **including attorneys on the panel de-**  
 21 **scribed in ORS 151.216 (5).**

22 (2) “Chief Justice” means the Chief Justice of the Supreme Court.

23 (3) “Commission” means the Oregon Public Defense Commission.

24 [(4) “Nonprofit public defense organization” means a nonprofit organization that employs attorneys  
 25 who provide public defense services.]

26 **SECTION 6.** ORS 151.216, as amended by sections 78, 94 and 101, chapter 281, Oregon Laws  
 27 2023, is amended to read:

28 151.216. (1) The Oregon Public Defense Commission shall:

29 (a) Establish and maintain a public defense system that ensures the provision of public defense  
 30 services consistent with the Oregon Constitution, the United States Constitution and Oregon and  
 31 national standards of justice.

32 (b) Adopt policies for public defense providers that:

33 (A) Ensure compensation, resources and caseloads are in accordance with national and regional  
 34 best practices;

35 (B) Ensure all public defense provider contracts provide for compensation that is commensurate  
 36 with the character of service performed;

37 (C) Ensure funding and resources to support required data collection and training requirements;  
 38 and

39 (D) Recognize the need to consider overhead costs that account for the cost of living and busi-  
 40 ness cost differences in each county or jurisdiction, including but not limited to rent, professional  
 41 membership dues, malpractice insurance and other insurance and other reasonable and usual oper-  
 42 ating costs.

43 (c) Establish operational and contracting systems that allow for oversight, ensure transparency  
 44 and stakeholder engagement and promote equity, inclusion and culturally specific representation.

45 (d) Review the caseload policies described in paragraph (b)(A) of this subsection annually, and

1 revise the policies as necessary and at least every four years.

2 (e) Adopt a statewide workload plan, based on the caseload policies described in paragraph  
 3 (b)(A) of this subsection, that takes into account the needs of each county or jurisdiction, practice  
 4 structure and type of practice overseen by the commission.

5 (f) Submit the budget of the commission to the Legislative Assembly after the budget is submit-  
 6 ted to the commission by the executive director and approved by the voting members of the com-  
 7 mission. The chairperson of the commission shall present the budget to the Legislative Assembly.

8 (g) Adopt a compensation plan, classification system and affirmative action plan for the com-  
 9 mission that are commensurate with other state agencies.

10 (h) Adopt policies, procedures, standards and guidelines regarding:

11 (A) The determination of financial eligibility of persons entitled to be represented by appointed  
 12 counsel at state expense;

13 (B) The appointment of counsel, including the appointment of counsel at state expense regard-  
 14 less of financial eligibility in juvenile delinquency matters;

15 (C) The fair compensation of counsel appointed to represent a person financially eligible for  
 16 appointed counsel at state expense;

17 (D) Appointed counsel compensation disputes;

18 (E) The costs associated with the representation of a person by appointed counsel in the state  
 19 courts that are required to be paid by the state; and

20 (F) The types of fees and expenses subject to a preauthorization requirement.

21 (i) Reimburse the State Court Administrator from funds deposited in the Public Defense Services  
 22 Account established by ORS 151.225 for the costs of personnel and other costs associated with lo-  
 23 cation of eligibility verification and screening personnel pursuant to ORS 151.489 by the State Court  
 24 Administrator.

25 (j) Develop, adopt and oversee the implementation, enforcement and modification of policies,  
 26 procedures, minimum standards and guidelines to ensure that public defense providers are providing  
 27 effective assistance of counsel consistently to all eligible persons in this state as required by statute  
 28 and the Oregon and United States Constitutions. The policies, procedures, standards and guidelines  
 29 described in this paragraph apply to employees of the commission and to any person or entity that  
 30 contracts with the commission to provide public defense services in this state.

31 (k) Set minimum standards by which appointed counsel are trained and supervised.

32 (L) Establish a system, policies and procedures for the mandatory collection of data concerning  
 33 the operation of the commission and all public defense providers.

34 (m) Enter into contracts and hire attorneys to bring the delivery of public defense services into  
 35 and maintain compliance with the minimum policies, procedures, standards and guidelines described  
 36 in this subsection. All contracts for the provision of public defense services to which the commission  
 37 is a party must include a requirement for collection by the commission of data determined by the  
 38 commission to be qualitatively necessary for any report required to be submitted to the Legislative  
 39 Assembly.

40 (n) At least once every two years, report to the interim committees of the Legislative Assembly  
 41 related to the judiciary, in the manner provided in ORS 192.245, and to the Governor and Chief  
 42 Justice, concerning compliance metrics for the minimum standards described in this subsection and  
 43 recommendations for legislative changes.

44 (o) Develop standard operating expectations for persons and entities providing public defense  
 45 services.

1 (p) In consultation with the Judicial Department, ensure the existence of policies that create a  
 2 standardized process for determining and verifying financial eligibility for appointed counsel under  
 3 ORS 151.485.

4 (q) Ensure access to systematic and comprehensive training programs for attorneys for the  
 5 purpose of meeting statewide standards set by the commission.

6 (r) Enter into contracts or interagency agreements with the Oregon Department of Administra-  
 7 tive Services for the purpose of supporting state public defense population forecasts and other re-  
 8 lated forecasts.

9 (s) Establish any other policies, procedures, standards and guidelines for the conduct of the  
 10 commission's affairs and promulgate policies necessary to carry out all powers and duties of the  
 11 commission.

12 (2) When establishing the minimum policies, procedures, standards and guidelines described in  
 13 this section, the commission shall adhere to the following principles:

14 (a) Appointed counsel shall be provided sufficient time and a space where attorney-client  
 15 confidentiality is safeguarded for meetings with clients.

16 (b) The workload of appointed counsel must be controlled to permit effective representation.  
 17 Economic disincentives or incentives that impair the ability of appointed counsel to provide effective  
 18 assistance of counsel must be avoided. The commission may develop workload controls to enhance  
 19 appointed counsel's ability to provide effective representation.

20 (c) The ability, training and experience of appointed counsel must match the nature and com-  
 21 plexity of the case to which the counsel is appointed.

22 (d) The same appointed counsel shall continuously represent a client throughout the pendency  
 23 of the case and shall appear at every court appearance other than ministerial hearings.

24 (e) The commission shall establish continuing legal education requirements for public defense  
 25 providers who are employed by or contract with the commission that are specific to the subject  
 26 matter area and practice of each type of court-appointed counsel.

27 (f) The commission and public defense providers shall systematically review appointed counsel  
 28 for efficiency and for effective representation according to commission standards.

29 (3) The commission shall be organized in a manner for the effective delivery of public defense  
 30 services as prescribed by the policies and procedures created pursuant to statute to financially eli-  
 31 gible persons and consistent with the budgetary structure established for the commission by the  
 32 Legislative Assembly.

33 (4)(a) The commission shall hire attorneys to serve as appointed counsel, including at the trial  
 34 level in Oregon circuit courts, and shall establish a trial division within the commission consisting  
 35 of attorneys employed by the commission who are trial-level public defense providers.

36 **(b) A trial division described in this subsection may be housed within the office of the**  
 37 **district defender described in section 2 of this 2025 Act.**

38 (5)(a) The commission shall establish[, *supervise*] and maintain a panel of qualified counsel who  
 39 contract with the commission and are directly assigned to cases. The commission shall develop a  
 40 process for certification of attorneys to the panel with periodic eligibility and case review. Panel  
 41 attorneys are not employees of the commission.

42 (b) The payment of panel counsel:

43 (A) May not be lower than the hourly rate established by the commission.

44 (B) Shall be adjusted to reflect the same percentage amount of any positive cost of living ad-  
 45 justment granted to employees in the management service in other executive branch agencies.

1 (C) May not provide a financial conflict of interest or economic incentives or disincentives that  
 2 impair an attorney's ability to provide effective representation.

3 (6)(a) The commission may enter into contracts for the provision of public defense services with  
 4 *[nonprofit public defense organizations]*:

5 (A) **Individual attorneys, including attorneys who are part of the panel described in sub-**  
 6 **section (5) of this section; and**

7 (B) **Entities, whether nonprofit or for profit, including entities that subcontract with in-**  
 8 **dividuals for the provision of public defense services.**

9 (b) The commission may not enter into a contract or agreement that pays appointed counsel a  
 10 flat fee per case.

11 (7) The policies, procedures, standards and guidelines adopted by the commission must be made  
 12 available in an accessible manner to the public on the commission's website.

13 (8) Policies, procedures, standards and guidelines adopted by the commission supersede any  
 14 conflicting rules, policies or procedures of the Public Defender Committee, State Court Administra-  
 15 tor, circuit courts, the Court of Appeals, the Supreme Court and the Psychiatric Security Review  
 16 Board related to the exercise of the commission's administrative responsibilities under this section  
 17 and transferred duties, functions and powers as they occur.

18 (9) The commission may accept gifts, grants or contributions from any source, whether public  
 19 or private. However, the commission may not accept a gift, grant or contribution if acceptance  
 20 would create a conflict of interest. Moneys accepted under this subsection shall be deposited in the  
 21 Public Defense Services Account established by ORS 151.225 and expended for the purposes for  
 22 which given or granted.

23 (10) With the approval of a majority of the voting members of the commission, the commission  
 24 may advocate for or against legislation before the Legislative Assembly or policies or budgets being  
 25 considered by the Legislative Assembly.

26 (11) The commission shall request that the Governor include in the Governor's requested budget,  
 27 for each fiscal period, at a minimum, the amount of funds identified by the commission as being  
 28 necessary to carry out the duties and activities of the commission.

29 (12) The commission may adopt rules pursuant to ORS chapter 183.

30 **SECTION 7.** ORS 151.219, as amended by section 95, chapter 281, Oregon Laws 2023, is  
 31 amended to read:

32 151.219. (1) The executive director of the Oregon Public Defense Commission shall:

33 (a) Designate a deputy director of the commission who serves at the pleasure of the executive  
 34 director.

35 (b) Hire necessary staff for the commission.

36 (c) Recommend to the commission how to establish and maintain, in a cost-effective manner, the  
 37 delivery of legal services to persons entitled to, and, where applicable, financially eligible for, ap-  
 38 pointed counsel at state expense under Oregon statutes, the Oregon Constitution, the United States  
 39 Constitution and consistent with Oregon and national standards of justice.

40 (d) Implement and ensure compliance with contracts, policies, procedures, standards and guide-  
 41 lines adopted by the commission or required by statute.

42 (e) Prepare and submit to the commission for its approval the biennial budget of the commission.

43 (f) Negotiate contracts, as appropriate, for providing legal services to persons eligible for ap-  
 44 pointed counsel at state expense in accordance with ORS 151.216 (5) and (6).

45 (g) Employ personnel or contract for services as necessary to carry out the responsibilities of

1 the executive director and the commission.

2 (h) Supervise the personnel, operation and activities of the commission.

3 (i) Provide services, facilities and materials necessary for the performance of the duties, func-  
4 tions and powers of the commission.

5 (j) Pay the expenses of the commission.

6 (k) Prepare and submit to the members of the commission an annual report of the activities of  
7 the commission.

8 (L) Provide for legal representation, advice and consultation for the commission, its members,  
9 the executive director and staff of the commission who require such services or who are named as  
10 defendants in lawsuits arising from their duties, functions and responsibilities. If requested by the  
11 executive director, the Attorney General may also provide for legal representation, advice and  
12 consultation for the commission, its members, the executive director and staff of the commission in  
13 litigation.

14 (2) The executive director may:

15 (a) Designate persons as representatives of the executive director for the purposes of determin-  
16 ing and paying bills submitted to the commission and determining preauthorization for incurring fees  
17 and expenses under ORS 135.055.

18 (b) Establish an external advisory group to assist in developing the standard operating expect-  
19 ations for persons and entities providing public defense services.

20 (c) **Use the title of chief state defender.**

21 **SECTION 8.** Section 102, chapter 281, Oregon Laws 2023, is amended to read:

22 **Sec. 102.** (1)(a) The amendments to ORS 151.211, 151.216 and 151.219 by sections 93 to 95, [*of*  
23 *this 2023 Act*] **chapter 281, Oregon Laws 2023**, become operative on July 1, 2025.

24 (b) The amendments to ORS 151.213 [*and 151.216 by sections 100 and 101 of this 2023 Act*] **by**  
25 **section 100, chapter 281, Oregon Laws 2023**, become operative on July 1, 2027.

26 (c) **The amendments to ORS 151.216 by section 101, chapter 281, Oregon Laws 2023, be-**  
27 **come operative on March 1, 2026.**

28 (2)(a) A person who is a member of the Oregon Public Defense Commission on July 1, 2027, may  
29 finish the person's term as a commission member and is eligible for reappointment, but, beginning  
30 July 1, 2027, may be removed by the Governor only for inefficiency, neglect of duty or malfeasance  
31 in office.

32 (b) The person serving as executive director of the Oregon Public Defense Commission on July  
33 1, 2027, may finish the person's term as executive director and is eligible for reappointment, but,  
34 beginning on July 1, 2027, serves at the pleasure of the voting members of the commission.

35 (3) The Oregon Public Defense Commission, the Oregon Department of Administrative Services  
36 and the Governor may take any action before the operative dates specified in subsection (1) of this  
37 section that is necessary to enable the commission to exercise, on and after the operative dates  
38 specified in subsection (1) of this section, all of the duties, functions and powers conferred on those  
39 entities by the amendments to ORS 151.211, 151.213, 151.216 and 151.219 by sections 93 to 95, 100  
40 and 101, [*of this 2023 Act*] **chapter 281, Oregon Laws 2023.**

41 **SECTION 9.** ORS 1.851 is amended to read:

42 1.851. (1) The presiding judge of each judicial district shall establish a local criminal justice  
43 advisory council, unless one already exists, in each county in the judicial district. Membership of  
44 the council shall include, but is not limited to, representatives of the following:

45 (a) The presiding judge;

- 1 (b) The district attorney;
- 2 (c) The local correctional administrator;
- 3 (d) [*Public defense service providers*;] **The district defender of the judicial district;**
- 4 (e) The county bar association;
- 5 (f) Local law enforcement; and
- 6 (g) State law enforcement.

7 (2) In addition to the persons listed in subsection (1) of this section, the judge may invite the  
 8 participation of any other persons involved in the criminal justice system whose participation would  
 9 be of benefit.

10 (3) The local criminal justice advisory council shall meet regularly to consider and address  
 11 methods of coordinating court, public defense and related services and resources in the most effi-  
 12 cient and cost-effective manner that complies with the constitutional and statutory mandates and  
 13 responsibilities of all participants.

14 (4) To assist the council in these efforts, council participants shall provide the council with  
 15 proposed budget information and caseload and workload projections.

16 **SECTION 10.** ORS 423.560 is amended to read:

17 423.560. (1) The board of county commissioners of a county shall convene a local public safety  
 18 coordinating council. The council shall include, but need not be limited to:

- 19 (a) A police chief selected by the police chiefs in the county;
- 20 (b) The sheriff of the county or, if two or more counties have joined together to provide com-  
 21 munity corrections services, a sheriff selected by the sheriffs in the counties;
- 22 (c) The district attorney of the county or, if two or more counties have joined together to pro-  
 23 vide community corrections services, a district attorney selected by the district attorneys of the  
 24 counties;
- 25 (d) A state court judge, [*and a public defender or defense attorney*,] both appointed by the pre-  
 26 siding judge of the judicial district in which the county is located, **and the district defender of**  
 27 **the judicial district;**
- 28 (e) A director of community corrections, a county commissioner, a juvenile department director,  
 29 a health director, a mental health director, a representative of community-based nonprofit organ-  
 30 izations that provide services to victims of crime and at least one lay citizen, all appointed by the  
 31 county commissioners;
- 32 (f) A city councilor or mayor and a city manager or other city representative, both selected by  
 33 the cities in the county;
- 34 (g) A representative of the Oregon State Police, who is a nonvoting member of the council, se-  
 35 lected by the Superintendent of State Police; and
- 36 (h) A representative of the Oregon Youth Authority, who is a nonvoting member of the council,  
 37 selected by the Director of the Oregon Youth Authority.

38 (2) The boards of county commissioners of two or more counties may jointly convene a single,  
 39 regional local public safety coordinating council by means of an intergovernmental agreement. Local  
 40 officials may combine the council with existing local criminal justice advisory councils established  
 41 under ORS 1.851.

- 42 (3) The local public safety coordinating council shall, at a minimum:
- 43 (a) Develop and recommend to the county board of commissioners a plan for use of:
- 44 (A) State resources to serve the local offender population; and
- 45 (B) State and local resources to serve the needs of that part of the local offender population

1 who are at least 15 years of age and less than 18 years of age, which plan must provide for coor-  
2 dination of community-wide services involving prevention, treatment, education, employment re-  
3 sources and intervention strategies; and

4 (b) Coordinate local criminal justice policy among affected criminal justice entities.

5 (4) Nonvoting members of a local public safety coordinating council may not be counted in de-  
6 termining whether a quorum exists.

7 (5) If a quorum is present at any meeting of the council, action may be taken by an affirmative  
8 vote of a majority of the quorum.

9 (6) The appointing authorities described in subsection (1) of this section shall fill a vacancy over  
10 which they have appointment authority within three months of a vacancy or as soon as possible.

11 **SECTION 11. Section 3 of this 2025 Act is repealed on January 2, 2031.**

12 **SECTION 12. (1)(a) Section 2 of this 2025 Act and the amendments to ORS 151.211, 151.216**  
13 **and 151.219 by sections 5 to 7 of this 2025 Act become operative on March 1, 2026.**

14 (b) The amendments to section 2 of this 2025 Act by section 4 of this 2025 Act become  
15 operative March 1, 2030.

16 (c) The amendments to ORS 1.851 and 423.560 by sections 9 and 10 of this 2025 Act become  
17 operative on March 1, 2030.

18 (2) The Oregon Public Defense Commission and the governing body of a county may take  
19 any action before the operative dates specified in subsection (1)(a) and (b) of this section that  
20 is necessary to enable the commission and county to exercise, on and after the operative  
21 dates specified in subsection (1)(a) and (b) of this section, all of the duties, functions and  
22 powers conferred on those entities by section 2 of this 2025 Act and the amendments to ORS  
23 151.211, 151.216 and 151.219 by sections 5 to 7 of this 2025 Act.

24 **SECTION 13. This 2025 Act takes effect on the 91st day after the date on which the 2025**  
25 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

26