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ARCHIVES DIVISION

STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 213
OREGON CRIMINAL JUSTICE COMMISSION

FILED

11/18/2021 11:55 AM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: [CORRECTED] Administrative Rules Governing the Criminal Justice Commission's Restorative Justice Grant Program

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 01/07/2022 11:55 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Kaiti Ferguson
503-378-4830
kaiti.ferguson@cj.oregon.gov

885 Summer St. NE
Salem, OR 97301

Filed By:
Alexander Pichel
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 12/22/2021

TIME: 9:30 AM - 11:00 AM

OFFICER: Kaiti Ferguson

ADDRESS: Criminal Justice Commission

885 Summer St. NE

Salem, OR 97301

SPECIAL INSTRUCTIONS:

Meeting will be held virtually via Microsoft Teams.

Link: <https://bit.ly/3x1Vx5d>

Telephone Access: +1 503-446-4951,,123982897#

Phone Conference ID: 123 982 897#

Comments may also be submitted via email to kaiti.ferguson@cj.oregon.gov.

NEED FOR THE RULE(S)

THIS CORRECTED NOTICE ADDS (1) THE VIDEO/TELEPHONE ACCESS INFORMATION FOR THE PUBLIC HEARING ON 12/22/2021 AND (2) THE TERM JUVENILE TO THE DEFINITION OF RESTORATIVE JUSTICE IN 213-040-0030(8) TO INCLUDE THE JUVENILE LEGAL SYSTEM. NO OTHER REVISIONS OR ADDITIONS HAVE BEEN MADE. Pursuant to House Bill 2204, the Criminal Justice Commission is required to adopt rules to administer a restorative justice grant program, including defining restorative justice, specifying the application process and eligibility criteria for the grant program, and a methodology for reviewing and approving grant applications and distributing grant funds. The proposed rules are necessary to implement the Restorative Justice Grant Program pursuant to House Bill 2204 (2021).

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

House Bill 2204 (2021) <https://olis.oregonlegislature.gov/liz/2021R1/Measures/Overview/HB2204>

House Bill 5006 (2021)

<https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB5006/Enrolled>

Restorative Justice: The Evidence, Lawrence W. Sherman and Heather Strang (2007)

The Effectiveness of Restorative Justice Practices: A Meta-Analysis, Jeff Latimer, Craig Dowden, Danielle Muise (2005)

The Effectiveness of Various Restorative Justice Interventions on Recidivism Outcomes Among Juvenile Offenders, Jeff Bouffard, Maisha Cooper, and Kathleen Bergseth (2016)

Long-Term Effectiveness of a Brief Restorative Justice Intervention, Joseph L. D. Kennedy, Antover P. Tuliao, KayLee N. Flower, Jessie J. Tibbs, and Dennis E. McChargue (2019)

Are Restorative Justice Conferences Effective in Reducing Repeat Offending? Findings from a Campbell Systematic Review, Lawrence W. Sherman, Heather Strang, Evan Mayo-Wilson, Daniel J. Woods, Barak Ariel (2014)

Does Restorative Justice Reduce Recidivism? Assessing Evidence and Claims about Restorative Justice and Reoffending, Ellie Piggott & William Wood (2018)

Victim–Offender Mediation and Reduced Reoffending: Gauging the Self-Selection Bias, Jiska Jonas-van Dijk, Sven Zebel, Jacques Claessen, and Hans Nelen (2020)

Anxiously Awaiting the Future of Restorative Justice in the United States, David R. Karp and Olivia Frank (2016)

Twelve experiments in restorative justice: the Jerry Lee program of randomized trials of restorative justice conferences, Lawrence W. Sherman, Heather Strang, Geoffrey Barnes, Daniel J. Woods, Sarah Bennett, Nova Inkpen, Dorothy Newbury-Birch, Meredith Rossner, Caroline Angel, Malcolm Mearns, Molly Slothower (2015)

CAN RESTORATIVE JUSTICE CONFERENCING REDUCE RECIDIVISM? EVIDENCE FROM THE MAKE-IT-RIGHT PROGRAM, Yotam Shem-Tov, Steven Raphael, Alissa Skog (2021, NBER Working Paper)

Restorative Justice Conferencing In Rhode Island: Summary Report, Akiva Liberman, Michael Katz (2021)

Short-term effects of restorative justice conferences on post-traumatic stress symptoms among robbery and burglary victims: a randomized controlled trial, Caroline M. Angel, Lawrence W. Sherman, Heather Strang, Barak Ariel, Sarah Bennett, Nova Inkpen, Anne Keane, Therese S. Richmond (2014)

Restorative Community Conferencing A study of Community Works West's restorative justice youth diversion program in Alameda County, sujatha baliga, Sia Henry, Georgia Valentine (2017)

THE IMPACT OF RESTORATIVE JUSTICE; VICTIM ASSISTANCE, YOUTH ACCOUNTABILITY (VAYA) PROGRAM—a 10 year cooperative study with—Resolve Center for Dispute Resolution and Restorative Justice, Southern Oregon University, Jackson County Juvenile Department

A Diversion Toolkit for Communities, Restorative Justice Project (2019)

Transformative Justice Prosecution Strategies to Reform the Justice System and Enhance Community Safety, George Gascón District Attorney City & County of San Francisco 2011-2019 (2019)

Choosing Restorative Justice, Kelley R. Taylor (2020)

Handbook on Restorative Justice Programmes, United Nations Office on Drugs and Crime (2006)

Crime, shame and reintegration, John Braithwaite (1989)

Can Restorative Justice Live Up to Its Promise To Victims?, Mary Achilles (2004)

Copies of other documents and media relied upon for this rulemaking are available from the Oregon Criminal Justice Commission, 885 Summer St NE, Salem, OR 97301, between the hours of 8:30 a.m. and 4:30 p.m., on business days, Monday through Friday. Please call 503.507.9338 with inquiries.

FISCAL AND ECONOMIC IMPACT:

The purpose of these rules is to administer a Restorative Justice Grant Program. The rules do not impose any additional regulatory requirements on state agencies, units of local government, or the public. The rules apply to public and private entities that operate or seek to operate restorative justice programs and choose to apply for grant funding under the rules. This could include state agencies and units of local government, and would also include members of the public including small businesses, should they choose to apply for grant funding. Those entities may experience a small fiscal impact from the cost of preparing and submitting a grant application for consideration and participating in the application process. The extent of the impact is uncertain at this time because it is unknown how many and which entities may apply for the grants. Additionally, the extent to which entities applying may be impacted is unknown at this time because while it is anticipated that many entities could meet the requirement to apply for the grant with existing staff and resources, it is unknown exactly which entities will choose to apply, along with what staff time and resources those entities will choose to invest in preparing the grant applications and the rates at which the staff persons preparing the applications are paid and the resources the entities already available to devote to the project, which may vary. There may be some administrative costs for grant recipients because there will be compliance reporting requirements for applicants that are awarded grants. The extent of that impact is unknown at this time. The compliance reporting will not require any specialized computer programs, and it is expected that the reporting can be completed using standard word processing equipment and submitted online. But because it is not known which entities will apply for and receive grants and their existing staffing levels and computer equipment, the extent of the impact of those reporting requirements cannot be quantified at this time. Another reason that the extent of the impact is uncertain is that it is unknown at this time how much funding the legislature will dedicate to the grant program in the future. Generally speaking, public and private entities should have a positive fiscal impact from receiving grant funding. To the extent these rules implement an efficient grant program, there may be a positive fiscal impact on the Oregon Department of Corrections, state and county governments, and business and private citizens due to less crime in the community and a decreased use of criminal legal system resources.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

As set forth in more detail in the statement of Fiscal Impact above, these rules do not regulate or impose any mandatory requirements on state agencies, units of local government, or the public including small businesses. State agencies, units of local government, and members of the public would comply with rule requirements only if they operate or seek to operate a restorative justice program, and choose to apply for grant funding under the rules. The rules also contain some requirements for compliance reporting applicable to grant recipients, which would apply to state agencies, units of local government, and members of the public only if they applied for and received grant funding under the rules. As indicated in more detail in the Statement of Fiscal Impact above, to the extent that the rules implement a successful grant program, state agencies (especially public safety agencies such as the Oregon Department of Corrections, Oregon Youth Authority, Board of Parole, and Oregon State Police), cities and counties, and the members of the public may experience a positive fiscal impact from decreased crime in the community and a concomitant decrease in use of criminal legal system resources.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

These rules do not regulate small businesses, nor does it impose mandatory requirements on small businesses. However, small businesses may choose to apply for grants under the rules. The types of small businesses that would apply are those involved in or seeking to be involved in restorative justice programs. We were not able to locate a source of available information as to a total number of small businesses that may opt to apply, as this necessarily depends not only on size and type of business but also on desire to participate in the grant program. However, our research did indicate that there are at least 150 small businesses in Oregon that may be eligible and/or seek to apply.

As discussed in more detail in the statement of Fiscal Impact above and given rules do not regulate small businesses nor does it impose mandatory requirements on small businesses unless a small business were to apply for the grant, if small businesses choose to apply for the grants, there may be some additional administrative costs involved in compiling and preparing the necessary documentation to apply for the grants. The extent of that impact is unknown at this time because it is unknown how much additional staff time those entities will choose to invest in preparing the grant applications, the rates at which the staff persons preparing the applications are paid, which may vary, or the applicant's access to office supplies and equipment to draft applications. In addition to submitting an application, there may also be administrative costs to complete compliance reporting requirements pertaining to the use of grant funds, but it is the intent of the Criminal Justice Commission to mitigate some, if not all, of those costs by allowing applicants to apply for a percentage of funding to be allocated toward administrative costs. Additionally, there may be costs to complete compliance reporting as to program evaluation and data collection, but it is the intent of the Criminal Justice Commission to mitigate some, if not all, of those costs by allowing grant applicants to seek funding associated with program evaluation and data collection by way of partnering with a researcher or research entity.

As discussed in detail in the statement of Fiscal Impact above and subsection (b), if small businesses choose to apply for the grants, there may be the need for equipment, supplies, labor and increased administration required for compliance. The grant application and compliance reporting can be completed with standard word and spreadsheet software (e.g. examples of products include those offered by Microsoft or Apple office software), Internet access, and use of an Internet browser. Additionally, an ability to communicate via the videoconference platform Microsoft Teams, access to electronic mail, and a telephone, while not required pursuant to the rules, will be tools provides applicants or grant awardees with greater access to technical assistance from the agency. The rules, however, do not contain any requirement to interface with specific state systems or use a specific program. There is no specific staff level required to complete the compliance reporting or application. Because existing staffing levels of small businesses that may apply for the grants are unknown, it is not known whether they would need additional staff to complete the application or to monitor compliance with grant requirements should the small business applicant receive a grant award. However, as discussed in the statement of Fiscal Impact above and subsection (b), to the extent that additional staffing is required for compliance reporting, small businesses may request in their application a percentage of the grant funding to cover

those administrative costs that may be incurred for financial compliance reporting and small business may also request funding to cover program evaluation and data collection compliance costs in the grant application, which may include partnership with a researcher or research entity.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

RULES PROPOSED:

213-040-0010, 213-040-0020, 213-040-0030, 213-040-0040, 213-040-0050, 213-040-0060, 213-040-0070, 213-040-0080

ADOPT: 213-040-0010

RULE SUMMARY: Rule 213-040-0010 explains the authority of the Criminal Justice Commission to promulgate the rule.

CHANGES TO RULE:

213-040-0010

Authority

These rules are promulgated pursuant to Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204).

Statutory/Other Authority: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

Statutes/Other Implemented: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

ADOPT: 213-040-0020

RULE SUMMARY: Rule 213-040-0020 explains that the purpose of the rules 213-040-0020 et seq. is solely for administration of the Criminal Justice Commission's Restorative Justice Grant Program, which was enacted by the Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204). These rules do not purport to comment on the theoretical underpinnings, principles, or practice of restorative justice generally, rather these rules serve only to support the Criminal Justice Commission's administration of the Restorative Justice Grant Program.

CHANGES TO RULE:

213-040-0020

Purpose

The purpose of these rules is to administer the Restorative Justice Grant Program established pursuant to Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204).

Statutory/Other Authority: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

Statutes/Other Implemented: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

ADOPT: 213-040-0030

RULE SUMMARY: CORRECTED DEFINITION OF RESTORATIVE JUSTICE IN 213-040-0030(8) TO INCLUDE THE JUVENILE LEGAL SYSTEM. NO OTHER REVISIONS OR ADDITIONS HAVE BEEN MADE. Rule 213-040-0030 provides definitions to terms used in 213-040-0020 et seq. Any definitions included in this rule are not intended to comment on the theoretical underpinnings, principles, or practice of restorative justice generally. Definitions included in this rule are only applied as usage in the Criminal Justice Commission's administration of the Restorative Justice Grant Program.

CHANGES TO RULE:

213-040-0030

Definitions

(1) "Advisory committee" means the committee organized pursuant to OAR 213-040-0035.¶

(2) "Commission" means the Oregon Criminal Justice Commission.¶

(3) "Community-based organization" means a nonprofit, an organization that has a non-profit fiscal sponsor, or a tribe affiliated organization that is based in the community and an independent entity from system partners. ¶

(4) "Outcome measure" means any objective, standard or goal to be tracked and quantitatively or qualitatively measured over a designated period to evaluate the efficacy of a program.¶

(5) "Private entity" means any corporation, trust, association, cooperative or other organization that is not a public entity or a system partner.¶

(6) "Program" means a restorative justice program administered by a private entity or a public entity.¶

(7) "Public entity" means¶

(a) Any Oregon "public body" as defined in ORS 174.109 and¶

(b) Any Tribe.¶

(8) "Restorative justice" means a community-based alternative to the criminal and juvenile legal systems that aims to center the needs of the harmed party and foster accountability within the responsible party without resorting to incarceration or criminal conviction.¶

(9) "Socially disadvantaged individual" means an individual who has been subjected to racial or ethnic prejudice or cultural bias, without regard to individual qualities, because of the individual's identity as a member of a group.¶

(10) "System partner" means an entity that operates within the criminal and juvenile legal systems, including but not limited to state and local law enforcement entities, county departments of community justice and state-run community corrections entities, state and municipal courts, district attorney offices, and criminal defense attorneys and criminal defense law firms or consortia.¶

(11) "Tribe" means one of the nine federally recognized Indian tribes in Oregon.

Statutory/Other Authority: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

Statutes/Other Implemented: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

ADOPT: 213-040-0040

RULE SUMMARY: Rule 213-040-0040 explains the roles of the Criminal Justice Commission and the Advisory Committee, as well as the composition of the Advisory Committee's membership.

CHANGES TO RULE:

213-040-0040

Advisory Committee

- (1) The Commission shall convene an advisory committee to evaluate and approve restorative justice grant awards. The grant award approval and authorization process is set forth in OAR 213-040-0070.¶
- (2) The Commission may seek the advisory committee's input on other matters relating to the restorative justice grant program.¶
- (3) The advisory committee shall consist of the following members:¶
 - (a) At least one individual who is a restorative justice practitioner;¶
 - (b) At least one individual who is a member of a community-based organization that promotes and supports the implementation of restorative justice principles and models;¶
 - (c) At least one individual who is actively engaged with the victim/survivor community in a non-government affiliated role;¶
 - (d) At least one individual who was previously incarcerated;¶
 - (e) At least one individual who is a member of a Tribe;¶
 - (f) At least one individual with expertise in trauma-informed practices;¶
 - (g) At least one member of the public with an interest in the implementation and practice of restorative justice principles and models;¶
 - (h) A representative from the Governor's Racial Justice Council or the Governor's Racial Justice Council's identified designee;¶
 - (i) A representative from the Oregon Criminal Defense Lawyers Association; and¶
 - (j) A representative from the Oregon District Attorneys Association.¶
- (4) A majority of the members of the advisory committee constitutes a quorum for the transaction of business.¶
- (5) Without preferring any particular demographic group, the Commission shall consider such factors, including but not limited to gender, geographic, ethnic, and racial diversity of the advisory committee members when convening the advisory committee.

Statutory/Other Authority: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

Statutes/Other Implemented: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

ADOPT: 213-040-0050

RULE SUMMARY: Rule 213-040-0050 specifies eligible grant applicants for the Criminal Justice Commission's Restorative Justice Grant Program, along with application requirements, identification of certain funding requests related to grant reporting compliance and program evaluation/data collection, and discretion as to grant solicitation and unallocated funds.

CHANGES TO RULE:

213-040-0050

Grant Applications

(1) The Commission shall determine the grant application cycle based on the availability of funds.¶

(2) Grant applicants may be either public or private entities.¶

(3) Grant applicants must:¶

(a) Provide or seek to provide restorative justice services within the State of Oregon;¶

(b) Demonstrate coordination with community-based organizations;¶

(c) Demonstrate the ability to work collaboratively with system partners;¶

(d) Demonstrate how the applicant's program will:¶

(A) Center the experiences of those harmed;¶

(B) Encourage those who have caused harm to take responsibility and repair the harm; and¶

(C) Support persons who have been harmed, impacted community members, and responsible parties in identifying solutions that promote healing, including promoting dialogue and mutual agreement; and¶

(e) Provide a detailed description of the eligibility criteria utilized by the program to determine program participants.¶

(4) An ability to work collaboratively with system partners may be shown by demonstrating a willingness to communicate with or involve system partners in an applicant's program, and does not necessarily require involvement of system partners in the restorative justice program.¶

(5) Grant applicants may request to use up to 15 percent of grant funds payable under the grant for administrative costs, including activities such as purchasing, budgeting, payroll, accounting, staff services, and other costs as deemed appropriate by the Commission. Exceptions to this limitation may be granted by the Commission upon sufficient showing by the applicant.¶

(6) Grant applicants may request funding to facilitate the collection of program information as provided in OAR 213-040-070(6)(b), as well as to conduct program evaluations. This may include funding for a partnership with a researcher or research entity.¶

(7) The Commission may, in its sole discretion, waive solicitation requirements or cancel any solicitation in whole or in part for all applicants if it deems such actions to be in the best interests of the Restorative Justice Grant Program.¶

(8) If unallocated funds remain at the conclusion of the grant acceptance period, the Commission shall distribute all remaining funds in the manner provided in OAR 213-040-0080.

Statutory/Other Authority: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

Statutes/Other Implemented: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

ADOPT: 213-040-0060

RULE SUMMARY: Rule 213-040-0060 provides an overview of the Criminal Justice Commission's Restorative Justice Grant Program's application review criteria, including discretion to give preference to programs offering specific services and/or partnership with a researcher or research entity.

CHANGES TO RULE:

213-040-0060

Grant Application Review Criteria

(1) The advisory committee and the Commission shall review and evaluate each grant application based upon the following criteria:

(a) How well the grant application demonstrates the criteria in OAR 213-040-0050(3); and

(b) Any other criteria set forth in the request for grant applications.

(2) In evaluating and approving grant applications, the advisory committee and the Commission may give preference to applications that demonstrate that the applicant's program:

(a) Offers services that do one or more of the following:

(A) Engage in and serve rural or other historically underserved regions or areas in Oregon.

(B) Engage and provide culturally appropriate services to socially disadvantaged individual(s).

(b) Partners with a researcher or research entity to track and report on any outcome measures associated with the applicant's program;

(c) Addresses case types as defined in OAR 213-003-001(14) and OAR 213-003-001(15);

(d) Addresses case types that carry a presumptive sentence of prison pursuant to the criteria in OAR 213-004-0001 through OAR 213-004-0013;

(e) Prioritizes funding for direct services to the party harmed and the person who committed the harm; or

(f) Does not disqualify program participants based on prior criminal history.

Statutory/Other Authority: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

Statutes/Other Implemented: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

ADOPT: 213-040-0070

RULE SUMMARY: Rule 213-040-0070 provides information on the Criminal Justice Commission's Restorative Justice Grant Program's grant application review and award process.

CHANGES TO RULE:

213-040-0070

Grant Application Processing and Awards

(1) Commission staff will review each grant application using the criteria provided in OAR 213-040-0060 and the request for grant applications and will make recommendations to the advisory committee.¶

(2) The advisory committee will review and evaluate each grant application and the recommendations of the Commission staff and notify the Commission regarding which grant applications it has approved for award.¶

(3) The advisory committee may approve grant applications for an award in whole or in part. The advisory committee may reject portions of the grant application that do not meet the criteria in OAR 213-040-0060. When a portion of a grant is not approved, the advisory committee shall provide an explanation to the Commission of the advisory committee's reasoning for not approving that portion of the grant.¶

(4) The Commission will review and evaluate the grant applications approved for award by the advisory committee and determine whether to authorize a grant award to the approved applicants. ¶

(5) If the Commission authorizes a grant award to an approved applicant, the Commission may authorize the grant award in whole or in part. The Commission may reject portions of the grant application that do not meet the criteria in OAR 213-040-0060.¶

(6) Approved applicants must agree to perform grant reporting requirements, including:¶

(a) Submitting a financial report on a quarterly basis detailing expenditure of grant funds during the prior quarter; and¶

(b) Collecting and submitting program information to Criminal Justice Commission upon request, which may include but is not limited to outcome measures, program evaluation, demographic information pertaining to eligible and enrolled participants, satisfaction metrics for both the responsible and harmed parties, and data collected in partnership with a researcher or research entity. ¶

(7) The Commission will notify grant applicants of the Commission's award decision within 75 business days after the grant application deadline. If there are extenuating circumstances, the Commission may, in its sole discretion, extend the deadline for award notification. Each applicant shall enter into a grant agreement with the Commission for each grant awarded. The grant agreement will set forth the terms, conditions, and requirements of the grant.¶

(8) The Commission may amend a grant award authorized under this rule to address new circumstances, funding opportunities, or other developments in the implementation of the grant.

Statutory/Other Authority: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

Statutes/Other Implemented: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

ADOPT: 213-040-0080

RULE SUMMARY: Rule 213-040-0080 addresses unallocated funds at the conclusion of the grant acceptance period or funds that become available during the biennium.

CHANGES TO RULE:

213-040-0080

Supplemental Grant Period

If unallocated funds remain at the conclusion of the grant acceptance period or become available during the biennium, the Commission may do one or more of the following:

(1) Use unallocated funds to supplement and expand the scope of one or more grant awards that were authorized, without the need for further grant solicitation, but using the criteria provided in OAR 213-040-0060; or

(2) Issue a supplemental competitive grant application solicitation, and allow for the submission of new applications, using the criteria and process set forth in OAR 213-040-0050 through -0070.

Statutory/Other Authority: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)

Statutes/Other Implemented: Chapter 519, 2021 Oregon Laws (Enrolled House Bill 2204)