

Chapter 415

Alien and Nonresident Public Charges

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415.010 Definitions for ORS 415.010 to 415.080. As used in ORS 415.010 to 415.080, unless the context requires otherwise:

(1) "Public charges" includes all persons who are confined in or admitted or committed to any public institution of this state.

(2) "Public institution" includes any institutions governed by the Oregon State Board of Control, or which receive aid through appropriation from the State Treasury.

(3) "Resident of this state" means a person who has lived in this state continuously for a period of two years and who has not acquired residence in another state by living continuously therein for at least two years subsequent to his residence in this state. However, the time spent in a public institution or on parole therefrom shall not be counted in determining the matter of residence in this or another state.

415.020 Deportation of alien and non-resident charges. The Oregon State Board of Control, in cooperation with the United States Bureau of Immigration, shall arrange for the deportation of all alien and non-resident public charges. The alien or non-resident public charges shall be transported to such points as may be designated by the United States Bureau of Immigration.

415.030 Return of public charges to legal residence. The Oregon State Board of Control shall also return all nonresident public charges to the states in which they may have legal residence.

415.040 Reciprocal agreements for exchange of nonresident public charges. For the purpose of facilitating the return of nonresident public charges, the Oregon State Board of Control may enter into a reciprocal agreement with other states for the mutual exchange of public charges confined in or admitted or committed to any public institution in one state whose legal residence is in the other state, and may give written permission for the return of any residents of Oregon confined in a public institution of another state, if such institution corresponds to those defined in ORS 415.010; provided, however, that the state making the request for return of such persons has, through the proper authorities, entered into a reciprocal agreement under this section.

415.050 Payment of expenses. (1) All expenses incurred under ORS 415.030 and 415.040 in returning public charges from this to another state shall be paid by this state.

(2) All expenses of returning residents of this state shall be borne by the state making the return.

415.060 Employment of help; expenses. (1) For the purpose of carrying out the provisions of ORS 415.010 to 415.080, the Oregon State Board of Control may employ all help necessary in arranging for and transporting the alien and nonresident public charges.

(2) The cost and expense of providing such assistance and all expenses incurred in effecting the transportation of such persons shall be paid from funds appropriated for that purpose upon vouchers approved by the Oregon State Board of Control and the superintendent of the public institution from which such persons are transported.

415.070 Bringing public charge into state without permission prohibited; exceptions. (1) No person shall bring or in any way aid in bringing any public charge into this state except for treatment for his or her ailment at some recognized hospital or sanitarium engaged in such practice, without having first obtained permission in writing from the Oregon State Board of Control.

(2) This section shall not apply to an officer, agent, or employe of a common carrier for anything done in the line of duty, nor to a person who through necessity brings or aids in bringing a public charge into the state without an intent to make such person a permanent charge upon this state.

415.080 Liability of institution for mentally ill person brought into state for treatment. (1) Whenever any insane persons are brought into this state for treatment at any hospital or sanitarium caring for and treating insane persons, the hospital or sanitarium receiving such persons for treatment shall be responsible for their return to their places of residence or domicile without the state, upon their being discharged from such institution without being fully recovered.

(2) If the person, firm or corporation operating any hospital or sanitarium fails to return such persons to their places of residence or domicile, they shall be liable to this state for all expenses incurred in the

care of such persons and the return, as provided in ORS 415.050 and 415.060.

415.090 to 415.100 [Reserved for expansion]

415.110 Inquiry into nationality of person committed to institution; notice to immigration officer. (1) Whenever any person is committed to the Oregon State Penitentiary, the MacLaren School for Boys, the county jail or any other state or county institution which is supported wholly or in part by public funds, the officer in charge of such state or county institution shall at once inquire into the nationality of such person.

(2) If it appears that such person is an alien, the officer shall immediately notify the United States immigration officer in charge of the district in which the penitentiary, reformatory, jail or other institution is located, stating:

(a) The date of and the reasons for such alien commitment.

(b) The length of time for which committed.

(c) The country of which he is a citizen.

(d) The date on which and the port at which he last entered the United States.

415.120 Furnishing immigration officer with copy of record. Upon the official request of the United States immigration officer in charge of the territory or district in which is located any court committing any alien to any state or county institution which is supported wholly or in part by public funds, the clerk of such court shall furnish without charge a certified copy of the complaint, information or indictment and the judgment and sentence and any other record pertaining to the case of the convicted alien.

415.990 Penalties. Violation of ORS 415.070 is punishable upon conviction by imprisonment in the county jail for a term of not more than one year or by a fine of not more than \$1,000, or both.

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[Reserved for expansion]