

A-Engrossed
Senate Bill 347

Ordered by the Senate May 8
Including Senate Amendments dated May 8

Sponsored by Senator PROZANSKI (Pre-session filed.)

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 certain information relating to test instruments is not discoverable or admissible in criminal or administrative proceeding brought against person whose breath, blood or urine was tested with instrument to determine alcoholic content of person's blood or to determine presence of controlled substance or inhalant.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to test instruments; and declaring an emergency.

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

SECTION 1. If an instrument is used to test a person's breath, blood or urine for the purpose of determining the alcoholic content of the person's blood, or for the purpose of determining the presence of a controlled substance or inhalant, the following information is not discoverable or admissible in any criminal or administrative proceeding brought against the person:

(1) The source code or other software for the test instrument;

(2) Schematics, trade secrets or other proprietary information regarding the test instrument; and

(3) Any other documents or information relating to the test instrument not in the possession of the law enforcement agency administering the test.

SECTION 2. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect on its passage.

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.