

Enrolled
House Bill 3615

Sponsored by COMMITTEE ON ELECTIONS, ETHICS AND RULES (at the request of House Interim Committee on Health Care)

CHAPTER

AN ACT

Relating to elections; and declaring an emergency.

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

SECTION 1. (1) Notwithstanding the word limits described in ORS 250.035 (2), the ballot title for Senate Bill 1087 (2008) shall be:

INCREASES SENTENCES FOR DRUG TRAFFICKING, THEFT AGAINST ELDERLY AND SPECIFIED REPEAT PROPERTY AND IDENTITY THEFT CRIMES; REQUIRES ADDICTION TREATMENT FOR CERTAIN OFFENDERS.

RESULT OF "YES" VOTE: "Yes" vote increases sentences for drug trafficking (methamphetamine, heroin, "ecstasy," cocaine), theft against elderly and specified repeat property and identity theft crimes; requires addiction treatment for certain offenders; establishes this measure as alternative to other specified measure on this ballot to impose minimum sentences for listed crimes.

RESULT OF "NO" VOTE: "No" vote retains current laws, which provide lesser sentences for specified crimes and do not require treatment for addicted offenders.

SUMMARY: This measure increases prison sentences for specified drug and property crimes as follows:

- **Trafficking of methamphetamine, heroin, "ecstasy," or cocaine:** 34 - 130 months, depending on the quantity of drugs and criminal history;
- **Aggravated theft of over \$10,000 where victim is elderly:** 16 - 45 months, depending on criminal history;
- **Repeat offenses of identity theft, burglary, theft, robbery, mail theft, car theft, forgery, criminal mischief, credit card and check fraud:** 18 - 30 months or 24 - 36 months, depending on seriousness of crime and number of past convictions.

This measure also requires treatment for certain addicted offenders at risk of reoffending; imposes sanctions for those who refuse treatment. Limits court's ability to reduce sentences. Provides grants to counties for operation of local jails, treatment services, intensive supervision and drug courts.

If this measure passes with more votes than other specified measure on this ballot to impose minimum sentences for listed crimes, this measure controls and other measure will have no effect. If this measure passes with fewer votes than other specified measure on this ballot to impose minimum sentences for listed crimes, this measure will have no effect. See Explanatory Statement for more information.

(2) If a petition is filed under ORS 250.085 challenging the ballot title provided in subsection (1) of this section, the word limits described in ORS 250.035 (2) do not apply for the purposes of judicial review.

SECTION 2. This 2008 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2008 Act takes effect on its passage.

Passed by House February 21, 2008

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Chief Clerk of House
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Speaker of House

Received by Governor:

.....M.,....., 2008

Approved:

.....M.,....., 2008

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Governor

Passed by Senate February 22, 2008

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President of Senate

Filed in Office of Secretary of State:

.....M.,....., 2008

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Secretary of State