

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Rules
Vote:	10 - 0 - 0
Yeas:	Garrett, Hicks, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger
Nays:	0
Exc.:	0
Prepared By:	Aaron Knott, Counsel
Meeting Dates:	4/21

WHAT THE MEASURE DOES: Modifies penalties for crime of possession of a controlled substance.

ISSUES DISCUSSED:

- Drug schedules
- Definition of “user quantity”
- Typical sentences for a drug offender convicted of a Class C felony
- Expungement availability for Class C felonies

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: Under existing law, the penalty for the crime of possession of a controlled substance is predicated on the classification of the Schedule of Controlled Substances and the amount of the item possessed. House Bill 3104 A makes unlawful possession of any substance in Schedule I or Schedule II a Class C felony provided the person possesses a user quantity of the controlled substance. User quantity is defined as an amount less than the quantities listed in ORS 475.900(2)(b) and the possession of which is not a commercial drug offense within the meaning of ORS 475.900(1)(b). ORS 475.900(2)(b) lists substantial quantity amounts for various controlled substances. House Bill 3104 A modifies the statutes governing the unlawful possession of methamphetamine and heroin to bring them into accord with this change.