

Senate Bill 377

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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 **as introduced**.

Authorizes court to enter judgment of conviction for Class A misdemeanor when person is convicted of manufacturing amounts of marijuana not greater than amounts permitted for possession under Oregon Medical Marijuana Act.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1 Relating to marijuana; creating new provisions; amending ORS 161.705; and declaring an emergency.

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

3 **SECTION 1.** ORS 161.705 is amended to read:

4 161.705. [*Notwithstanding ORS 161.525,*] The court may enter judgment of conviction for a Class
5 A misdemeanor and make disposition accordingly when:

6 (1)(a) A person is convicted of [*any*] a Class C felony;

7 (b) A person is convicted of [*a*] **the Class B felony of unlawful delivery of marijuana** pursuant
8 to ORS 475.860 (2)(a);

9 (c) A person is convicted of the Class B felony of **unlawful** possession of marijuana pursuant
10 to ORS 475.864 (2); [*or*]

11 (d) **A person is convicted of the Class A felony of unlawful manufacture of marijuana**
12 **pursuant to ORS 475.856 for an amount that is not greater than the amount described in ORS**
13 **475.320 (1)(a) or (4)(a); or**

14 [*d*] (e) A person convicted of [*any of the felonies*] **a felony** described in [*paragraphs (a) to (c)*
15 *of*] this subsection[,] or of a Class A felony pursuant to ORS 166.720[,] has successfully completed a
16 sentence of probation; and

17 (2) The court, considering the nature and circumstances of the crime and the history and char-
18 acter of the defendant, believes that it would be unduly harsh to sentence the defendant for a felony.

19 **SECTION 2. The amendments to ORS 161.705 by section 1 of this 2011 Act apply to judg-**
20 **ments entered on or after the effective date of this 2011 Act.**

21 **SECTION 3. This 2011 Act being necessary for the immediate preservation of the public**
22 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
23 **on its passage.**
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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.