

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	9 – 0 – 0
Yeas:	Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker
Nays:	0
Exc.:	0
Prepared By:	Mike Schmidt, Counsel
Meeting Dates:	3/4, 3/28

WHAT THE MEASURE DOES: Removes “prior treatment” disqualifier from diversion statute in cases of treatment ordered pursuant to minor in possession of alcohol (ORS 471.430) and possession of less than an ounce of marijuana (ORS 475.864(3)).

ISSUES DISCUSSED:

- College students and other young people who have been convicted of these violations should still be allowed to participate in DUII diversion.

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: House Bill 2773 would allow people the benefit of the DUII diversion program even if they had previously been ordered to do treatment for one of the two listed minor offenses. Currently, if you had been ordered to attend an alcohol class or marijuana class for minor in possession of alcohol, or possession of less than an ounce of marijuana within the last 15 years from the date of the DUII charge, you would not be eligible for the DUII diversion program.