

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Close, Dingfelder, Kruse, Roblan, Prozanski
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Mike Schmidt, Counsel
<b>Meeting Dates:</b>	4/30

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**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:**

- Treatment ordered for this violation is often much less than the treatment one would be mandated to attend for a Driving Under the Influence of Intoxicants (DUII) diversion

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** This 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 awareness class or marijuana awareness class for minor in possession of alcohol, or possession of less than an ounce of marijuana charge within the last 15 years from the date of the DUII charge, you would not be eligible for the DUII diversion program.