

Enrolled
Senate Bill 82

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CHAPTER

AN ACT

Relating to crime; creating new provisions; amending ORS 809.265; and declaring an emergency.

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

SECTION 1. ORS 809.265 is amended to read:

809.265. (1) Unless the court finds compelling circumstances not to order suspension of driving privileges, the court in which a person is convicted of an offense described in this subsection shall order suspension of the person's driving privileges. This subsection applies when a person is convicted of:

(a) Any offense involving manufacturing, possession or delivery of controlled substances, **except for possession of less than one avoirdupois ounce of marijuana as described in ORS 475.864 (3).**

(b) Driving while under the influence of intoxicants in violation of ORS 813.010 or of a municipal ordinance if the person was under the influence of an inhalant or a controlled substance.

(2) The court in which a person is convicted of possession of less than one avoirdupois ounce of marijuana, as described in ORS 475.864 (3), may order suspension of the person's driving privileges if the person is under 18 years of age and the court determines that suspension of the person's driving privileges is necessary for the safety of the community. The court shall indicate the findings supporting the suspension in the judgment.

[2)] (3) Upon receipt of an order under this section, the department shall take action as directed under ORS 809.280.

SECTION 2. The amendments to ORS 809.265 by section 1 of this 2013 Act apply to convictions entered on or after the effective date of this 2013 Act.

SECTION 3. This 2013 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect on its passage.

Passed by Senate April 24, 2013

Repassed by Senate June 25, 2013

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Robert Taylor, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House June 14, 2013

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2013

Approved:

.....M,....., 2013

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John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M,....., 2013

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Kate Brown, Secretary of State