

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

---

**Action:** Do Pass the A-Engrossed Measure  
**Vote:** 5 - 0 - 0  
**Yeas:** Close, Dembrow, Kruse, Roblan, Prozanski  
**Nays:** 0  
**Exc.:** 0  
**Prepared By:** Channa Newell, Counsel  
**Meeting Dates:** 2/18

---

**WHAT THE MEASURE DOES:** Specifies that a person under 21 years of age who contacts emergency medical services or law enforcement for medical assistance for self or others due to alcohol consumption is immune from prosecution under minor in possession statute. Applies only if evidence of possession is obtained as result of person seeking assistance. Specifies exemption does not extend to other crimes or offenses.

**ISSUES DISCUSSED:**

- Limitations on immunity
- Education programs at colleges and high schools
- Personal experiences with alcohol poisoning
- Fear of prosecution prevents minors from seeking help
- Immunity applies only to minor in possession charge

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

**BACKGROUND:** Currently, ORS 471.430 prohibits a person who is under 21 years of age from purchasing or acquiring, or attempting to purchase alcoholic beverages. Conviction results in a Class B violation, or a Class A violation if the person is also operating a motor vehicle while in possession of alcoholic beverages. After a person receives a second minor in possession conviction, the court must order that person to undergo alcohol assessment and treatment.

House Bill 4094-A gives immunity to minors who seek medical or law enforcement assistance for themselves or another due to alcohol consumption and the only evidence of the violation is gathered from the act of seeking help.