

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Eric Deitrick, Counsel

Meeting Dates: 6/2

WHAT THE MEASURE DOES: Creates new offense for those under the age of 21 years who consume, purchase, and attempt to purchase or acquire marijuana items. Provides exemptions. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: Proposed (-4) amendment replaces the measure. Authorizes Oregon Youth Authority (OYA) and juvenile department to disclose and provide copies of reports and other relevant materials to Department of Corrections (DOC) for purpose of supervising persons committed to legal and physical custody of DOC. Declares emergency, effective upon passage. Sunsets June 30, 2017.

Proposed (-5) amendment incorporates both the A-engrossed version of the bill and the (-4) amendment.

BACKGROUND: In 2014, Oregonians enacted Ballot Measure 91, which legalizes marijuana effective July 1, 2015. House Bill 2313-A creates a new offense for those under the age of 21 years old who consume, attempt to purchase or acquire marijuana items. It prohibits youth from entering premises where marijuana items are available. The offense is classified as a Class B violation, and is elevated to Class A violation if the offender possesses marijuana items while operating a motor vehicle. It authorizes penalties of community service and driver's license suspension for offenders who misrepresent their age in an attempt to acquire marijuana. In addition, it authorizes court-ordered treatment for offenders.

Under current Oregon law, the Department of Corrections' (DOC) is only authorized to access juvenile records of those offenders who are serving their DOC sentence in the physical custody of Oregon Youth Authority (OYA). They do not have authority to access juvenile records for those persons transferred to DOC from OYA or a juvenile court.