

Senate Bill 397

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SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Increases fees for driving while under influence of intoxicants screening interview and diagnostic assessment.

A BILL FOR AN ACT

1
2 Relating to driving while under influence of intoxicants; creating new provisions; and amending ORS
3 813.021 and 813.240.

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

5 **SECTION 1.** ORS 813.021 is amended to read:

6 813.021. (1) When a court, in accordance with ORS 813.020, requires a person to complete a
7 screening interview and a treatment program, the court shall require the person to do all of the
8 following:

9 (a) Complete a screening interview for the purpose of determining appropriate placement of the
10 person in a program for treatment for alcoholism, drug dependency or dependency on inhalants.

11 (b) Pay directly to the agency or organization conducting the screening interview a fee of
12 [~~\$150~~] **\$275**.

13 (c) Complete the treatment program to which the person is referred.

14 (d) Pay for the treatment program to which the person is referred.

15 (2) The screening interview required by this section shall be conducted by an agency or organ-
16 ization designated by the court. The designated agency or organization must meet the standards set
17 by the Director of the Oregon Health Authority to conduct the screening interviews. Wherever
18 possible a court shall designate agencies or organizations to perform the screening interview that
19 are separate from those that may be designated to carry out a treatment program.

20 (3) An agency or organization doing a screening interview under this section may not refer a
21 person to a treatment program that has not been approved by the Director of the Oregon Health
22 Authority.

23 (4) The agency or organization conducting a screening interview under this section shall moni-
24 tor the progress of the person referred to the agency or organization. The agency or organization
25 shall make a report to the referring court stating the person's successful completion or failure to
26 complete all or any part of the screening interview or of the treatment program to which the person
27 was referred by the agency or organization. The report shall be in a form determined by agreement
28 between the court and the agency or organization.

29 **SECTION 2.** ORS 813.240 is amended to read:

30 813.240. (1) The filing fee paid by a defendant at the time of filing a petition for a driving while

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 under the influence of intoxicants diversion agreement as provided in ORS 813.210 is \$490. A fee
2 collected under this subsection in the circuit court shall be deposited by the clerk of the court in
3 the Criminal Fine Account. If the fee is collected in a municipal or justice court, \$290 of the fee
4 shall be forwarded by the court to the Department of Revenue for deposit in the Criminal Fine Ac-
5 count, and the remainder of the fee shall be paid to the city or county treasurer.

6 (2) If less than the full filing fee is collected under subsection (1) of this section in a municipal
7 or justice court, the money received shall be allocated first to the Department of Revenue for de-
8 posit in the Criminal Fine Account.

9 (3) In addition to the filing fee under subsection (1) of this section, the court shall order the
10 defendant to pay [~~\$150~~] **\$275** directly to the agency or organization providing the diagnostic assess-
11 ment.

12 **SECTION 3. The amendments to ORS 813.021 and 813.240 by sections 1 and 2 of this 2015**
13 **Act apply to offenses occurring on or after the effective date of this 2015 Act.**

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