

House Bill 2175

Sponsored by Representatives STARK, BUEHLER, Senators PROZANSKI, ROBLAN; Representatives BARKER, OLSON, Senator STEINER HAYWARD (Presession filed.)

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**.

Removes limitation on number of sobering facilities that may be registered with Oregon Health Authority. Requires registration request to be sent by certified mail, return receipt requested. Requires authority to confirm receipt of registration by certified mail within 30 days.

A BILL FOR AN ACT

1
2 Relating to sobering facilities; amending ORS 430.262.

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

4 **SECTION 1.** ORS 430.262 is amended to read:

5 430.262. (1) The Oregon Health Authority shall maintain a registry of sobering facilities.

6 (2) To be registered, a sobering facility [*must provide the Director of the Oregon Health Authority*
7 *with a written request for registration*] **shall send a written request to the Director of the Oregon**
8 **Health Authority by certified mail, return receipt requested.** The written request must include
9 the name and address of the sobering facility and a statement signed by an authorized representative
10 that the facility meets the definition of a sobering facility in ORS 430.306.

11 (3) The authority may not impose a fee or other charge for the registration.

12 [(4) *The authority shall register a sobering facility that is in operation on July 20, 2015, if the fa-*
13 *cility submits a written request for registration that is received by the authority on or before December*
14 *31, 2015. The authority shall provide the facility with a written confirmation of the facility's registra-*
15 *tion no later than 30 days after the authority receives the written request for registration.*]

16 [(5) *Sobering facilities that are not in operation on July 20, 2015, may not submit a written request*
17 *for registration before January 1, 2016. The authority may not register more than three such*
18 *facilities.*]

19 [(6)] (4) [*The authority shall register a sobering facility that submits a written request for regis-*
20 *tration on or after January 1, 2016, if fewer than three such facilities are registered.*] The authority
21 shall provide each sobering facility that submits a request for registration with a written confirma-
22 tion of the facility's registration[, *or a notice denying the registration,*] no later than 30 days after
23 the authority receives the written request for registration. **The confirmation must be sent by**
24 **certified mail.**

25 [(7)] (5) The authority shall report to each regular session of the Legislative Assembly, begin-
26 ning with the 2017 regular session, on the extent to which sobering facilities registered with the
27 authority under this section have provided safe, clean and appropriate environments for police offi-
28 cers to take intoxicated persons. The authority may also report any other information that the au-
29 thority determines may be useful to the Legislative Assembly in evaluating the benefits of sobering
30 facilities.

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.

