

SENATE AMENDMENTS TO SENATE BILL 303

By JOINT COMMITTEE ON MARIJUANA REGULATION

March 10

1 On page 1 of the printed bill, line 3, after “475B.260” insert “, 809.220”.

2 On page 3, after line 43, insert:

3 “**SECTION 3.** Section 4 of this 2017 Act is added to and made a part of ORS 475B.010 to
4 **475B.395.**

5 “**SECTION 4.** When a person is ordered to undergo assessment and treatment as provided
6 in ORS 475B.260, the court shall require the person to do all of the following:

7 “(1) Pay to the court the fee described under ORS 813.030 in addition to any fine imposed
8 under ORS 475B.260.

9 “(2) Complete an examination by an agency or organization designated by the court to
10 determine whether the person has a problem condition involving marijuana as described in
11 ORS 813.040. The designated agencies or organizations must meet minimum standards es-
12 tablished under ORS 430.357 to perform the diagnostic assessment and treatment of problem
13 marijuana use and must be certified by the Director of the Oregon Health Authority.

14 “(3) Complete a treatment program, paid at the expense of the person convicted, as fol-
15 lows:

16 “(a) If the examination required under this section shows that the person has a problem
17 condition involving marijuana, a program for rehabilitation for problem marijuana use ap-
18 proved by the director.

19 “(b) If the examination required by this section shows that the person does not have a
20 problem condition involving marijuana, a marijuana information program approved by the
21 director.”.

22 In line 44, delete “3” and insert “5”.

23 On page 4, line 33, delete “4” and insert “6”.

24 In line 38, delete “5” and insert “7”.

25 On page 5, after line 5, insert:

26 “**SECTION 8.** ORS 809.220 is amended to read:

27 “809.220. This section establishes procedures that are applicable if a person fails to appear on
28 a citation for a traffic offense or fails to appear on a citation for a violation of ORS 471.430 **or**
29 **475B.260**. All of the following apply to this section:

30 “(1) If a defendant fails to make any appearance required by the court or by law in a proceeding
31 charging the defendant with a traffic offense or with a violation of ORS 471.430 **or 475B.260**, the
32 court:

33 “(a) Shall issue notice to the Department of Transportation to suspend for failure to appear if
34 the defendant is charged with a traffic crime or with a violation of ORS 471.430 **or 475B.260**. If a
35 court issues notice under this paragraph, the department shall suspend the driving privileges of the

1 person as provided under ORS 809.280.

2 “(b) Shall issue notice to the department to implement procedures under ORS 809.416 if the de-
3 fendant is charged with a traffic violation. If a court issues notice under this paragraph, the de-
4 partment shall implement procedures under ORS 809.416.

5 “(2) In any notice to the department under this section, a court shall certify that the defendant
6 failed to appear in the proceedings in the manner required by the court or by law.

7 “(3) At any time within 10 years from the date the traffic offense or violation of ORS 471.430
8 **or 475B.260** occurred, a court shall give a second notice to the department to reinstate the person’s
9 suspended driving privileges resulting from the original notice if any of the following occur:

10 “(a) The fine for the offense is paid or the defendant has begun making payments.

11 “(b) The court finds the defendant not guilty or orders a dismissal of the case.

12 “(c) The court determines that the person’s suspended driving privileges should be reinstated for
13 good cause.

14 “(4) The court may reissue a notice of suspension if the person ceases making payments before
15 the fine is paid in full. The reissuance does not extend the original period of suspension.

16 “(5) Notifications by a court to the department under this section shall be in a form prescribed
17 by the department.

18 “(6) A court may not notify the department under this section for failure to appear on any
19 parking, pedestrian or bicyclist offense.”.

20 In line 6, delete “6” and insert “9”.

21 In line 29, delete “7” and insert “10”.

22 In line 30, delete “8” and insert “11”.

23 In line 32, after “475B.260” insert “, 809.220”.

24 In line 33, delete “1 to 6” and insert “1, 2 and 5 to 9”.

25 In line 34, delete “7” and insert “10”.

26 In line 36, delete “9” and insert “12”.

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