

Senate Bill 570

Sponsored by Senator KNOPP (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**.

Creates crime of intentionally administering marijuana item to body of person who is under 18 years of age. Punishes by maximum of 20 years' imprisonment, \$375,000 fine, or both.

Creates crime of knowingly administering marijuana item to body of person who is under 18 years of age. Punishes by maximum of 1 year's imprisonment, \$6,250 fine, or both.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the unlawful administration of a marijuana item to the body of another; and declaring
3 an emergency.

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

5 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS 475B.010 to**
6 **475B.395.**

7 **SECTION 2. (1) Except as authorized under ORS 475B.010 to 475B.395, 475B.400 to**
8 **475B.525, 475B.550 to 475B.590 and 475B.600 to 475B.655 and rules adopted under ORS 475B.010**
9 **to 475B.395, 475B.400 to 475B.525, 475B.550 to 475B.590 and 475B.600 to 475B.655, it is unlawful**
10 **for a person to intentionally or knowingly administer a marijuana item to the body of an-**
11 **other person who is under 18 years of age by inhalation, ingestion or any other means.**

12 **(2)(a) Intentionally administering a marijuana item to the body of a person who is under**
13 **18 years of age is a Class A felony.**

14 **(b) Intentionally administering a marijuana item to the body of a person who is under**
15 **18 years of age shall be classified as a person felony and crime category 9 of the sentencing**
16 **guidelines grid of the Oregon Criminal Justice Commission.**

17 **(3) Knowingly administering a marijuana item to the body of a person who is under 18**
18 **years of age is a Class A misdemeanor.**

19 **(4) It is an affirmative defense to a charge of intentionally or knowingly administering a**
20 **marijuana item to the body of a person who is under 18 years of age if:**

21 **(a) The person administering the marijuana item was less than three years older than**
22 **the other person at the time of the administration, and the other person consented to the**
23 **administration; or**

24 **(b) The marijuana item was administered for a medical purpose with the consent of the**
25 **person under 18 years of age, and the person under 18 years of age was a registry identifi-**
26 **cation cardholder as defined in ORS 475B.410 at the time of the administration.**

27 **SECTION 3. This 2017 Act being necessary for the immediate preservation of the public**
28 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
29 **on its passage.**

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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.