

Requested by Representative LININGER

**PROPOSED AMENDMENTS TO
SENATE BILL 303**

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**
4 **of ORS 475B.010 to 475B.395.**

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

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

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

17 **“(3) Complete a treatment program, paid at the expense of the**
18 **person convicted, as follows:**

19 **“(a) If the examination required under this section shows that the**
20 **person has a problem condition involving marijuana, a program for**
21 **rehabilitation for problem marijuana use approved by the director.**

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

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

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

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

7 On page 5, after line 5 insert:

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

9 “809.220. This section establishes procedures that are applicable if a per-
10 son fails to appear on a citation for a traffic offense or fails to appear on a
11 citation for a violation of ORS 471.430 **or 475B.260**. All of the following ap-
12 ply to this section:

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

16 “(a) Shall issue notice to the Department of Transportation to suspend for
17 failure to appear if the defendant is charged with a traffic crime or with a
18 violation of ORS 471.430 **or 475B.260**. If a court issues notice under this
19 paragraph, the department shall suspend the driving privileges of the person
20 as provided under ORS 809.280.

21 “(b) Shall issue notice to the department to implement procedures under
22 ORS 809.416 if the defendant is charged with a traffic violation. If a court
23 issues notice under this paragraph, the department shall implement proce-
24 dures under ORS 809.416.

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

28 “(3) At any time within 10 years from the date the traffic offense or vio-
29 lation of ORS 471.430 **or 475B.260** occurred, a court shall give a second no-
30 tice to the department to reinstate the person’s suspended driving privileges

1 resulting from the original notice if any of the following occur:

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

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

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

8 “(4) The court may reissue a notice of suspension if the person ceases
9 making payments before the fine is paid in full. The reissuance does not ex-
10 tend the original period of suspension.

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

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

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

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

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

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

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

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

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

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