



## Open Government Impact Statement

81st Oregon Legislative Assembly  
2021 Regular Session

## Measure: SB 755 - A

Only impacts on Original or Engrossed  
Versions are Considered Official

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### SUMMARY

Modifies and provides for implementation of Ballot Measure 110 (2020).

Renames "Addiction Recovery Center" as "Behavioral Health Resource Network" and modifies services that must be provided by networks. Renames "24/7" triage as "screening" and specifies requirements for screening.

Requires Oversight and Accountability Council to provide funding, in addition to grants to agencies and organizations participating in networks. Modifies requirements for receiving grants and funding.

Modifies quorum requirement for council. Requires members of council to submit statements of economic interest to Oregon Government Ethics Commission.

Requires Oregon Health Authority to post on website information about recipients of grants or funding.

Removes sunset on Behavioral Health Resource Network statewide telephone hotline established by authority. Specifies requirements for hotline.

Directs Division of Audits of office of Secretary of State to conduct performance audits and financial reviews, beginning with real-time audit no later than December 31, 2023. Specifies scope of audits and financial reviews.

Requires authority to quarterly report to Legislative Assembly on expenditures from Drug Treatment and Recovery Services Fund.

Provides that minimum fine for Class E violation is \$45. Directs court to dismiss Class E violation citation upon receiving verification that person completed substance use disorder screening. Requires enforcement officer issuing Class E violation citation to provide person receiving citation with information concerning how person may obtain screening. Directs Legislative Assembly to allocate moneys deposited into Criminal Fine Account as payment of fines on Class E violations to Drug Treatment and Recovery Services Fund. Provides that person may not be charged with crime of failure to appear on Class E violation.

Prohibits juvenile court from waiving Class E violation proceeding to municipal court. Authorizes juvenile court to order youth to undergo assessment and treatment if youth is within jurisdiction of court for committing act that, if committed by adult, would constitute Class E violation. Provides that municipal and justice courts have no jurisdiction over Class E violations.

Makes possession of substantial quantity of Schedule I controlled substance, including heroin,



lysergic acid diethylamide, 3,4-methylenedioxymethamphetamine, psilocybin or psilocin, Class B felony punishable by maximum of 10 years' imprisonment, \$250,000 fine, or both. Provides that possession of substantial quantity of Schedule II controlled substance, including cocaine, methamphetamine and fentanyl, constitutes Class C felony punishable by maximum of five years' imprisonment, \$125,000 fine, or both. Reduces penalties for possession of less than 40 pills, tablets, capsules or user units of hydrocodone to Class E violation punishable by maximum of \$100 fine. Establishes substantial quantities of fentanyl for purposes of unlawful delivery, manufacture and possession offenses and mandatory sentences. Authorizes use of presumptive test for controlled substances as prima facie evidence of identity of controlled substance in Class E violation proceeding. Authorizes district attorney to initiate Class E violation proceeding when person is charged with offense that would constitute Class E violation had offense been committed on or after February 1, 2021.

Makes form and style changes to provisions in Ballot Measure 110 (2020).

Declares emergency, effective on passage.

## **NOTICE OF NO OPEN GOVERNMENT IMPACT**