

HB 2451 STAFF MEASURE SUMMARY

House Committee On Behavioral Health and Health Care

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Meeting Dates: 1/30

WHAT THE MEASURE DOES:

Exempts from drug paraphernalia prohibitions testing equipment marketed, designed, used or intended to be used to analyze a substance for the presence of fentanyl, an analog of fentanyl, ketamine or gamma-hydroxybutyric acid.

FISCAL: May have fiscal impact, but no statement yet issued.

REVENUE: May have revenue impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In November 2020, Oregon voters passed Measure 110, also known as The Drug Addiction Treatment and Recovery Act, approving two shifts in how the state deals with the use of illegal drugs. First, the measure reduced penalties for drug possession, making Oregon the first state to decriminalize the personal possession of illegal drugs. Measure 110 also combined the anticipated savings achieved from the current cost of enforcing criminal drug possession penalties with marijuana sales revenue to fund a new drug addiction treatment and recovery grant program. While Oregon implements Measure 110, the state also faces an increase in opioid overdose deaths with deaths increasing from 280 deaths in 2019 to 745 in 2021.

Drug testing equipment can help prevent overdoses and reduce other harms, particularly for drugs like fentanyl that can easily mixed with other drugs and deadly in small doses. Several other states, including Georgia, New Mexico, Tennessee, Wisconsin, Alabama, and Ohio have recently decriminalized fentanyl test strips as a means of combatting the opioid overdose crisis.

House Bill 2451 would exempt equipment designed to test for fentanyl, ketamine, or gamma-hydroxybutyric acid from drug paraphernalia prohibitions.