

## HB 2306 STAFF MEASURE SUMMARY

### House Committee On Judiciary

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**Action Date:** 04/03/23

**Action:** Without recommendation as to passage, refer to Ways and Means by prior reference.

**Vote:** 9-0-1-0

**Yeas:** 9 - Andersen, Bynum, Chaichi, Conrad, Kropf, Lewis, Morgan, Reynolds, Wallan

**Exc:** 1 - Tran

**Fiscal:** Fiscal impact issued

**Revenue:** Revenue impact issued

**Prepared By:** Adrienne Anderson, LPRO Analyst

**Meeting Dates:** 3/14, 4/3

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#### WHAT THE MEASURE DOES:

Appropriates an indeterminate amount of moneys from the General Fund for the biennium beginning July 1, 2023, to the Department of State Police to increase the capability of the department's forensic laboratories to conduct analyses of blood for controlled substances, in addition to alcohol content.

#### ISSUES DISCUSSED:

- The Department of State Police conducts postmortem analyses of blood for controlled substances, but not antemortem
- Local law enforcement agencies have a contract with a private lab in Pennsylvania
- Whether there is a private lab located in Oregon capable of conducting antemortem analyses of blood for controlled substances

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

When a person is arrested for a DUII, the person can consent to having their blood drawn or producing a urine sample, or the law enforcement officer can request and obtain a warrant for the person's blood to test for alcohol or controlled substances. The Department of Oregon State Police (OSP) has the capability to test for controlled substances in a person's urine and alcohol in a person's blood. A few years ago, OSP began the process of becoming certified to test for controlled substances in blood. OSP can conduct postmortem analyses of blood for controlled substances, but not antemortem. Local law enforcement agencies contracted with the Washington State crime lab and a private lab in Pennsylvania; both conducted antemortem analyses on blood samples for controlled substances. In 2022, Washington State terminated their contract. Local District Attorneys offices have to pay the cost of witness fees, often thousands of dollars, for forensic scientists from Pennsylvania to fly to Oregon to testify in a criminal trial.

Senate Bill 2306 appropriates moneys from the General Fund to OSP so that OSP can increase its capability to conduct analyses of blood for controlled substances.