

# House Bill 4144

Sponsored by Representatives HARTMAN, BOWMAN; Representatives ANDERSEN, DEXTER, GAMBA, GOMBERG, HELM, JAVADI, LEVY B, LIVELY, MCINTIRE, NATHANSON, OWENS, RUIZ, SCHARF, WALTERS, Senators HANSELL, KNOPP, STEINER, THATCHER (Pre-session 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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act increases the sentence for making or having an object that makes counterfeit drugs. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 68.9).

Increases the penalties for making, delivering or possessing an object that is used to render a drug into a counterfeit substance. Punishes by a maximum of five years' imprisonment, \$125,000 fine, or both.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

Relating to public safety; amending ORS 475.916; and declaring an emergency.

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

**SECTION 1.** ORS 475.916 is amended to read:

475.916. (1) It is unlawful for any person knowingly or intentionally:

(a) To deliver as a registrant a controlled substance classified in Schedule I or II, except pursuant to an order form as required by ORS 475.175;

(b) To use in the course of manufacture or delivery of a controlled substance a registration number which is fictitious, revoked, suspended or issued to another person;

(c) To acquire or to attempt to acquire or obtain or attempt to obtain possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge;

(d) To furnish false or fraudulent material information in, or omit any material information from, any application, report, record or other document required to be kept or filed under ORS 475.005 to 475.285 and 475.752 to 475.980; or

(e) To make, deliver or possess any punch, die, plate, stone or other thing designed to print, imprint or reproduce the trademark, trade name or other identifying mark, imprint or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render the drug a counterfeit substance.

*[(2) Any person who violates this section is guilty of a Class A misdemeanor.]*

**(2)(a) Violation of subsection (1)(a) to (d) of this section is a Class A misdemeanor.**

**(b) Violation of subsection (1)(e) of this section is a Class C felony.**

**SECTION 2. This 2024 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect on its passage.**

**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.