

# Senate Bill 491

Sponsored by Senator SMITH DB (Presession 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 makes police notify ICE if a person is arrested for some drug crimes. The Act also limits pretrial release for those persons. (Flesch Readability Score: 67.7).

Directs an arresting officer to notify federal immigration authorities when a person is arrested for delivery or manufacture of a controlled substance. Limits pretrial release for persons arrested for delivery or manufacture of a controlled substance.

## A BILL FOR AN ACT

1  
2 Relating to persons arrested for drug crimes.

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

4 **SECTION 1. (1) Notwithstanding ORS 181A.820 and 181A.822 to 181A.829, when a person**  
5 **is arrested for delivery or manufacture of a controlled substance, the arresting officer shall**  
6 **immediately notify federal immigration authorities.**

7 **(2) Notwithstanding ORS 135.230 to 135.290, a person arrested for delivery or manufacture**  
8 **of a controlled substance is not eligible for any form of release, except as required by the**  
9 **Oregon or United States Constitutions, until the notification described in subsection (1) of**  
10 **this section has occurred and federal immigration authorities have confirmed that the per-**  
11 **son does not need to be detained for violating federal immigration law.**

12 **(3) As used in this section, "federal immigration authorities" means agents of the United**  
13 **States Immigration and Customs Enforcement, or a successor agency, who receive reports**  
14 **of and investigate violations of federal immigration law.**

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**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.