

Senate Bill 848

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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 creates a DUII task force. The Act says that moneys in a DUII fund may be used to pay for screenings and DUII education programs for those who are indigent. The Act says that a person who is in a DUII diversion program but who lives out of state may get help for drug treatment out of state. (Flesch Readability Score: 77.9).

Creates a task force on driving while under the influence of intoxicants. Provides that moneys in the Intoxicated Driver Program Fund may be used to pay for screenings and driving while under the influence of intoxicants education programs for indigent defendants. Allows a person who is participating in a diversion program for driving while under the influence of intoxicants and who is not a resident of Oregon to complete treatment in another jurisdiction.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to driving while under the influence of intoxicants; creating new provisions; amending ORS
3 813.233 and 813.270; and prescribing an effective date.

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

5 **SECTION 1. (1) The DUII Task Force is established.**

6 **(2) The task force consists of eight members appointed as follows:**

7 **(a) The Governor shall appoint the following members who have knowledge of either the**
8 **criminal system or the drug and alcohol treatment system as they relate to individuals**
9 **prosecuted for driving while under the influence of intoxicants:**

10 **(A) A representative of the Oregon Health Authority;**

11 **(B) A representative of the community corrections program within the Department of**
12 **Corrections;**

13 **(C) A prosecuting attorney;**

14 **(D) A defense attorney;**

15 **(E) A substance use treatment provider;**

16 **(F) An alcohol and drug screening specialist; and**

17 **(G) A representative of the Department of Transportation.**

18 **(b) The Chief Justice of the Supreme Court shall appoint one judge.**

19 **(3) The task force shall review and make recommendations on the following:**

20 **(a) The state's driving while under the influence of intoxicants screening and treatment**
21 **system.**

22 **(b) The state agency or agencies that currently oversee different elements of the driving**
23 **while under the influence system.**

24 **(c) The state agency or agencies that may be best suited to oversee alcohol and drug**
25 **screening specialists and other elements of the driving while under the influence system in**

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.

1 the future.

2 (d) The standards, regulations or requirements that should apply to alcohol and drug
3 screening specialists.

4 (e) Evidence-based practices that should be included or required in drug and alcohol
5 treatment for individuals prosecuted for driving while under the influence of intoxicants.

6 (f) How to address conflicts that arise between court proceedings of driving while under
7 the influence of intoxicants cases and federal health information privacy laws.

8 (4) The task force may consult with experts, hear testimony from affected persons and
9 collect data and information necessary to carry out the task force's duties.

10 (5) A majority of the members of the task force constitutes a quorum for the transaction
11 of business.

12 (6) Official action by the task force requires the approval of a majority of the members
13 of the task force.

14 (7) The task force shall elect one of its members to serve as chairperson.

15 (8) If there is a vacancy for any cause, the appointing authority shall make an appoint-
16 ment to become immediately effective.

17 (9) The task force shall meet at times and places specified by the call of the chairperson
18 or of a majority of the members of the task force.

19 (10) The task force may adopt rules necessary for the operation of the task force.

20 (11) The task force shall submit a report in the manner provided in ORS 192.245, and may
21 include recommendations for legislation, to an interim committee of the Legislative Assem-
22 bly related to the judiciary no later than June 30, 2026.

23 (12) The Oregon Health Authority shall provide staff support to the task force.

24 (13) Members of the task force are not entitled to compensation or reimbursement for
25 expenses and serve as volunteers on the task force.

26 (14) All agencies of state government, as defined in ORS 174.111, are directed to assist
27 the task force in the performance of the duties of the task force and, to the extent permitted
28 by laws relating to confidentiality, to furnish information and advice the members of the task
29 force consider necessary to perform their duties.

30 **SECTION 2.** Section 1 of this 2025 Act is repealed on December 31, 2026.

31 **SECTION 3.** ORS 813.270 is amended to read:

32 813.270. The Intoxicated Driver Program Fund is created to consist of moneys placed in the fund
33 under ORS 813.030 and 813.240 or as otherwise provided by law and of gifts and grants made to the
34 fund for carrying out the purposes of the fund. The moneys in the fund may be used only for the
35 following purposes:

36 (1) To pay for providing treatment for individuals who enter diversion agreements under ORS
37 813.200 and who are found to be indigent. Payment for treatment under this subsection may include
38 treatment for problem drinking, alcoholism or drug dependency. Payment shall be made as provided
39 by the Director of the Oregon Health Authority by rule to agencies or organizations providing
40 treatment.

41 (2) To pay for evaluation as provided by law of programs used for diversion agreements.

42 (3) To pay the cost of administration of the fund by the Oregon Health Authority.

43 (4) To pay for materials, resources and training supplied by the authority to those persons, or-
44 ganizations or agencies performing the screening interviews or providing education or treatment to
45 persons under diversion agreements.

1 (5) To pay for providing treatment programs required under ORS 813.020 and treatment or in-
2 formation programs required under ORS 471.432 for individuals who are found to be indigent.

3 (6) To pay for special services required to enable a person with a disability, or a person whose
4 proficiency in the use of English is limited because of the person's national origin, to participate in
5 treatment programs that are used for diversion agreements under ORS 813.200 or are required under
6 ORS 813.020. This subsection applies:

7 (a) Whether or not the person is indigent; and

8 (b) Only to special services required solely because of the person's disability or limited profi-
9 ciency in the use of English.

10 **(7) To pay for screenings and driving while under the influence of intoxicants education**
11 **programs for indigent defendants.**

12 **SECTION 4.** ORS 813.233 is amended to read:

13 813.233. In lieu of completing a treatment program in this state as a part of completing the
14 conditions of a driving while under the influence of intoxicants diversion agreement in this state,
15 the court may allow a defendant who is [a] **not a resident of Oregon or who is a** member of the
16 Armed Forces of the United States, the reserve components of the Armed Forces of the United
17 States or the National Guard and who is serving on active duty to participate in a comparable
18 treatment program conducted by or authorized by a government entity in another jurisdiction.

19 **SECTION 5. This 2025 Act takes effect on the 91st day after the date on which the 2025**
20 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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