

**HB 2797 STAFF MEASURE SUMMARY**

**House Committee On Judiciary**

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**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 3/7

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**WHAT THE MEASURE DOES:**

Creates a mandatory minimum sentence for the crime of unlawful delivery or manufacture of a controlled substance when use of the controlled substance is a factor in causing the death of another person. Extends criminally liability to any person who unlawfully delivers or manufactures a controlled substance that's use contributes to the death of a person. Categorizes previous convictions for unlawful delivery or manufacture of a controlled substance as person crimes for the purpose of determining the criminal history of a person convicted under House Bill 2797. Declares crime created by HB 2797 a Class A felony. Effective on passage.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The mandatory minimums currently in place for the crime of unlawful delivery or manufacture of a controlled substance are outline in ORS 475.925. The enhanced sentences are triggered by type and quantity of the substance possessed or manufactured. There is no sentencing enhancement relating consequences resulting from consumption of the substances associated with the crime.

House Bill 2797 creates a new enhancement factor triggering a mandatory minimum sentence for any person found to have manufactured or delivered controlled substances that contribute to the death of an individual consuming them.