

SB 755 -1, -2, -9, -10 STAFF MEASURE SUMMARY

Senate Committee On Judiciary and Ballot Measure 110 Implementation

Prepared By: Leslie Wu, Counsel

Meeting Dates: 3/1, 3/15

WHAT THE MEASURE DOES:

Implements language of Ballot Measure 110, makes style and form changes, acts as vehicle for legislative amendments.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

- 1 Corrects omission of hydrocodone from drug penalty updates.
- 2 Clarifies use of presumptive field tests in Class E violation proceedings.
- 9 Specifies that upon completion of assessment as required, the Class E violation shall be dismissed.
- 10 Specifies that presumptive fine for Class E violation is \$100, minimum fine for Class E violation is \$45.

BACKGROUND:

Ballot Measure 110 was passed by Oregon voters in 2020 with 58.26% of the vote in favor and 41.54% of the vote opposed. Also referred to as the Drug Addiction Treatment and Recovery Act (the "Act"), Ballot Measure 110 decriminalizes possession of small amounts of controlled substances. It classifies those offenses as Class E violations that are subject to a \$100 fine. If a cited person completes an assessment through an Addiction Recovery Center ("ARC") or by calling the temporary phone line run by the Oregon Health Authority ("OHA"), the fine is waived. The Act also creates the Treatment and Recovery Services Fund (the "Fund") which is financed in large part with marijuana revenues. The Fund money will be distributed through a grants process with grant money flowing both to ARCs as well as other organizations, including government and non-governmental entities that apply for grant money, in order to increase access to behavioral healthcare. The Act creates an Oversight and Accountability Council ("OAC") that acts as the rulemaking and grant disbursement body under the wing of OHA. Efficacy of the grants and ARCs, as well as outcomes of the Act, are assessed by audit conducted by the Secretary of State.