

HB 3946 STAFF MEASURE SUMMARY

Joint Committee On Addiction and Community Safety Response

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Meeting Dates: 4/9

WHAT THE MEASURE DOES:

The measure defines "school" for the purposes of manufacturing and delivery of controlled substance crimes to include preschools or public or private elementary, secondary, or career school attended primarily by minors. Declares an emergency, effective on passage.

FISCAL: *May have fiscal impact, but no statement yet issued.*

REVENUE: *May have revenue impact, but no statement yet issued.*

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In 2020, Oregon voters passed Measure 110 ("Drug Addiction Treatment and Recovery Act"), approving two shifts in how the state deals with the use of illegal drugs. First, the measure reduces penalties for drug possession, making Oregon the first state to decriminalize the personal possession of illegal drugs. Secondly, the savings achieved from the cost of enforcing criminal drug possession penalties are combined with marijuana sales revenue to fund a new drug addiction treatment and recovery grant program. Senate Bill 755 (2021) modified some of the requirements of Measure 110. That measure also established Behavioral Health Resource Networks (BHRNs), which are a group of organizations that partner to provide substance use services free of charge to individuals seeking care. The measure requires a BHRN to be established in each county and tribal area in the state and established a process for grants to be awarded via the Oversight and Accountability Council. According to the Oregon Health Authority, there are currently 42 BHRNs and 151 BHRN partners.

During the 2024 Session, the Legislative Assembly passed House Bill 4002 and House Bill 5204, reintroducing potential criminal penalties for drug possession while also investing over \$200 million improving access to behavioral health services. HB 4002 created a new drug enforcement misdemeanor crime of unlawful possession of a controlled substance. That measure also created sentencing enhancements for drug delivery crimes that occur within specified distances of treatment facilities, temporary residence shelters, and public parks.

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