

House Bill 2142

Sponsored by Representative BOSHART DAVIS (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 requires a prison sentence for some repeat drug crimes. (Flesch Readability Score: 80.3).

Requires a prison sentence for the unlawful delivery or manufacture of a controlled substance when the person has certain prior convictions.

A BILL FOR AN ACT

1
2 Relating to controlled substances; amending ORS 475.925.

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

4 **SECTION 1.** ORS 475.925 is amended to read:

5 475.925. When a person is convicted of the unlawful delivery or manufacture of a controlled
6 substance, the court shall sentence the person to a term of incarceration [*ranging from*] **as**
7 **follows:**

8 (1) 58 months to 130 months, depending on the person's criminal history, if the delivery or
9 manufacture involves:

10 (a) 500 grams or more of a mixture or substance containing a detectable amount of cocaine;

11 (b) 500 grams or more of a mixture or substance containing a detectable amount of metham-
12 phetamine, its salts, isomers or salts of its isomers;

13 (c) 100 grams or more of a mixture or substance containing a detectable amount of heroin;

14 (d) 100 grams or more of a mixture or substance containing a detectable amount of fentanyl, or
15 any substituted derivative of fentanyl as defined by the rules of the State Board of Pharmacy; or

16 (e) 100 grams or more or 500 or more pills, tablets or capsules of a mixture or substance con-
17 taining a detectable amount of ecstasy.

18 (2) 34 months to 72 months, depending on the person's criminal history, if the delivery or man-
19 ufacture involves:

20 (a) 100 grams or more of a mixture or substance containing a detectable amount of cocaine;

21 (b) 100 grams or more of a mixture or substance containing a detectable amount of metham-
22 phetamine, its salts, isomers or salts of its isomers;

23 (c) 50 grams or more of a mixture or substance containing a detectable amount of heroin;

24 (d) 50 grams or more of a mixture or substance containing a detectable amount of fentanyl, or
25 any substituted derivative of fentanyl as defined by the rules of the State Board of Pharmacy; or

26 (e) 50 grams or more or 250 or more pills, tablets or capsules of a mixture or substance con-
27 taining a detectable amount of ecstasy.

28 **(3) 36 months, or any term of incarceration required by law or prescribed by the sen-**
29 **tencing guidelines of the Oregon Criminal Justice Commission, whichever is longer, if the**
30 **person has a conviction for a previous unlawful delivery or manufacture of a controlled**

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 **substance, or attempted delivery or manufacture of a controlled substance, within the pre-**
2 **vious five years.**

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