

House Bill 2174

Sponsored by Representative HELFRICH (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 makes drug treatment required for some probations. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 82.4).

Requires that for certain drug and property crimes, the court must require an evaluation and treatment as a part of probation.

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

A BILL FOR AN ACT

1 Relating to drug treatment; and prescribing an effective date.

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

3 **SECTION 1. (1) Notwithstanding ORS 137.540, for a person charged with or convicted of**
4 **a designated drug-related misdemeanor or designated property misdemeanor, the following**
5 **must be ordered as a condition of probation or included as part of any probation agreement**
6 **entered into pursuant to ORS 475.245 or section 52, chapter 70, Oregon Laws 2024:**

7 (a) A requirement that the person be evaluated to determine whether the person is a
8 drug-dependent person, and that the person provide written consent for such evaluation; and
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10 (b) A requirement that, if the evaluation described in paragraph (a) of this subsection
11 indicates that the person is a drug-dependent person and may benefit from treatment for
12 drug dependence, the person must complete the course of treatment as directed by the
13 evaluator.

14 (2) When an evaluation and treatment is required under subsection (1) of this section:

15 (a) The state shall fund the costs of the evaluation and treatment, including supervision
16 related to the person's compliance with evaluation and treatment requirements.

17 (b) The court may assess against the person a fee to offset the costs described in para-
18 graph (a) of this subsection based on the person's ability to pay.

19 (3) As used in this section:

20 (a) "Designated drug-related misdemeanor" has the meaning given that term in ORS
21 423.478.

22 (b) "Designated property misdemeanor" means any of the following offenses, when the
23 court designates in the judgment of conviction that the offense is related to the defendant's
24 substance abuse disorder:

25 (A) Theft in the third degree under ORS 164.043;

26 (B) Theft in the second degree under ORS 164.045;

27 (C) Criminal trespass in the second degree under ORS 164.245;

28 (D) Criminal trespass in the first degree under ORS 164.255;

29 (E) Unlawful entry into a motor vehicle under ORS 164.272;

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 (F) Criminal mischief in the second degree under ORS 164.354; or

2 (G) An attempt to commit any of the following offenses:

3 (i) Theft in the first degree under ORS 164.055;

4 (ii) Unauthorized use of a vehicle under ORS 164.135;

5 (iii) Criminal mischief in the first degree under ORS 164.365; or

6 (iv) Identity theft under ORS 165.800.

7 **SECTION 2.** This 2025 Act takes effect on the 91st day after the date on which the 2025
8 regular session of the Eighty-third Legislative Assembly adjourns sine die.

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