

## B-Engrossed House Bill 3174

Ordered by the Senate May 19  
Including House Amendments dated April 4 and Senate Amendments  
dated May 19

Sponsored by Representative MARSH, Senator GOLDEN, Representative CHOTZEN (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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Increases ADSS fee. Says that money in the IDPF may be spent on more things DUII related for indigent defendants. Says that those who do not live in this state may get treatment out of state. (Flesch Readability Score: 84.2).

Increases the fee paid for alcohol and drug screening specialists.

Expands uses of moneys in the Intoxicated Driver Program Fund for indigent defendants. **Provides some limitations.**

Allows an individual who is not a resident of Oregon to complete a treatment program out of state.

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

### A BILL FOR AN ACT

Relating to driving while under the influence of intoxicants; creating new provisions; amending ORS 813.021, 813.233 and 813.270; and prescribing an effective date.

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

**SECTION 1.** ORS 813.021 is amended to read:

813.021. (1) When a court, in accordance with ORS 813.020, requires a person to complete a screening interview and a treatment program, the court shall require the person to do all of the following:

(a) Complete a screening interview for the purpose of determining appropriate placement of the person in a program for treatment for alcoholism, drug dependency or dependency on inhalants.

(b) Pay directly to the agency or organization conducting the screening interview a fee of ~~[\$150]~~ **\$250**.

(c) Complete the treatment program to which the person is referred.

(d) Pay for the treatment program to which the person is referred.

(2) The screening interview required by this section shall be conducted by an agency or organization designated by the court. The designated agency or organization must meet the standards set by the Director of the Oregon Health Authority to conduct the screening interviews. Wherever possible a court shall designate agencies or organizations to perform the screening interview that are separate from those that may be designated to carry out a treatment program.

(3) An agency or organization doing a screening interview under this section may not refer a person to a treatment program that has not been approved by the Director of the Oregon Health Authority.

(4) The agency or organization conducting a screening interview under this section shall moni-

**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.

tor the progress of the person referred to the agency or organization. The agency or organization shall make a report to the referring court stating the person's successful completion or failure to complete all or any part of the screening interview or of the treatment program to which the person was referred by the agency or organization performing the screening interview. The report shall be in a form determined by agreement between the court and the agency or organization providing the screening interview.

**SECTION 2.** ORS 813.270 is amended to read:

813.270. The Intoxicated Driver Program Fund is created to consist of moneys placed in the fund under ORS 813.030 and 813.240 or as otherwise provided by law and of gifts and grants made to the fund for carrying out the purposes of the fund. The moneys in the fund may be used only for the following purposes:

(1) To pay for providing treatment for individuals who enter diversion agreements under ORS 813.200 and who are found to be indigent. Payment for treatment under this subsection may include treatment for problem drinking, alcoholism or drug dependency. Payment shall be made as provided by the Director of the Oregon Health Authority by rule to agencies or organizations providing treatment.

(2) To pay for evaluation as provided by law of programs used for diversion agreements.

(3) To pay the cost of administration of the fund by the Oregon Health Authority.

(4) To pay for materials, resources and training supplied by the authority to those persons, organizations or agencies performing the screening interviews or providing education or treatment to persons under diversion agreements.

(5) To pay for providing treatment programs required under ORS 813.020 and treatment or information programs required under ORS 471.432 for individuals who are found to be indigent.

(6) To pay for special services required to enable a person with a disability, or a person whose proficiency in the use of English is limited because of the person's national origin, to participate in treatment programs that are used for diversion agreements under ORS 813.200 or are required under ORS 813.020. This subsection applies:

(a) Whether or not the person is indigent; and

(b) Only to special services required solely because of the person's disability or limited proficiency in the use of English.

**(7) To pay for screening interviews, the agency or organization conducting the screening interviews and driving while under the influence of intoxicants education programs for indigent defendants, required under ORS 813.020. Payments made under this subsection may not exceed \$100 per indigent defendant each time an indigent defendant is required to complete a screening interview under ORS 813.020.**

**SECTION 3.** ORS 813.233 is amended to read:

813.233. In lieu of completing a treatment program in this state as a part of completing the conditions of a driving while under the influence of intoxicants diversion agreement in this state, the court may allow [*a defendant who is a member of the Armed Forces of the United States, the reserve components of the Armed Forces of the United States or the National Guard and who is serving on active duty*] **the following defendants** to participate in a comparable treatment program conducted by or authorized by a government entity in another jurisdiction[.]:

**(1) An individual who is not a resident of Oregon.**

**(2) A member of the Armed Forces of the United States, the reserve components of the Armed Forces of the United States or the National Guard and who is serving on active duty.**

1        **SECTION 4.** The amendments to ORS 813.021 by section 1 of this 2025 Act apply to fees  
2 imposed on or after the effective date of this 2025 Act.

3        **SECTION 5.** This 2025 Act takes effect on the 91st day after the date on which the 2025  
4 regular session of the Eighty-third Legislative Assembly adjourns sine die.

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