

HOUSE AMENDMENTS TO HOUSE BILL 4068

By COMMITTEE ON JUDICIARY

February 14

1 On page 2 of the printed bill, line 8, after “(g)” insert “Except as provided in paragraph (L) of
2 this subsection.”.

3 In line 10, after “(h)” insert “Except as provided in paragraph (L) of this subsection.”.

4 Delete lines 23 through 30 and insert:

5 “(A) The person can demonstrate that the person has been convicted only once of a marijuana
6 possession offense that constituted a misdemeanor or violation under the law of the jurisdiction of
7 the offense, and has not completed a drug diversion program for a marijuana possession offense that
8 constituted a misdemeanor or violation under the law of the jurisdiction of the offense; or

9 “(B) The person can demonstrate that the person has only once completed a drug diversion
10 program for a marijuana possession offense that constituted a misdemeanor or violation under the
11 law of the jurisdiction of the offense, and has not been convicted of a marijuana possession offense
12 that constituted a misdemeanor or violation under the law of the jurisdiction of the offense;”.

13 On page 3, line 27, after the period insert “Except as provided in ORS 166.291 (1)(L),”.

14 In line 28, after the period insert “Except as provided in ORS 166.291 (1)(L),”.

15 On page 5, after line 19, insert:

16 “(10) As used in this section, ‘drug diversion program’ means a program in which a defendant
17 charged with a marijuana possession offense completes a program of treatment as indicated by a
18 court-ordered diagnostic assessment under court supervision and in which the marijuana possession
19 offense is dismissed upon successful completion of the diversion program.”.

20 On page 6, line 10, after “(g)” insert “Except as provided in paragraph (L) of this subsection.”.

21 In line 12, after “(h)” insert “Except as provided in paragraph (L) of this subsection.”.

22 Delete lines 25 through 32 and insert:

23 “(A) The person can demonstrate that the person has been convicted only once of a marijuana
24 possession offense that constituted a misdemeanor or violation under the law of the jurisdiction of
25 the offense, and has not completed a drug diversion program for a marijuana possession offense that
26 constituted a misdemeanor or violation under the law of the jurisdiction of the offense; or

27 “(B) The person can demonstrate that the person has only once completed a drug diversion
28 program for a marijuana possession offense that constituted a misdemeanor or violation under the
29 law of the jurisdiction of the offense, and has not been convicted of a marijuana possession offense
30 that constituted a misdemeanor or violation under the law of the jurisdiction of the offense;”.

31 On page 7, line 28, after the period insert “Except as provided in ORS 166.291 (1)(L),”.

32 In line 29, after the period insert “Except as provided in ORS 166.291 (1)(L),”.

33 On page 9, after line 19, insert:

34 “(10) As used in this section, ‘drug diversion program’ means a program in which a defendant
35 charged with a marijuana possession offense completes a program of treatment as indicated by a

1 court-ordered diagnostic assessment under court supervision and in which the marijuana possession
2 offense is dismissed upon successful completion of the diversion program.”.
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