

# House Bill 2554

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

## 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**.

Authorizes conditional discharge of person found guilty of unlawful possession of prescription drug.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to the unlawful possession of a prescription drug; amending ORS 475.245; and declaring an  
3 emergency.

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

5 **SECTION 1.** ORS 475.245 is amended to read:

6 475.245. Whenever any person pleads guilty to or is found guilty of possession of a controlled  
7 substance under ORS 475.752 (3), 475.814, 475.824, 475.834, 475.854, 475.864, 475.874, 475.884 or  
8 475.894, **of unlawfully possessing a prescription drug under ORS 689.527 (6)**, of endangering the  
9 welfare of a minor under ORS 163.575 (1)(b), of frequenting a place where controlled substances are  
10 used under ORS 167.222 or of a property offense that is motivated by a dependence on a controlled  
11 substance, the court, without entering a judgment of guilt and with the consent of the district at-  
12 torney and the accused, may defer further proceedings and place the person on probation. Upon vi-  
13 olation of a term or condition of probation, the court may enter an adjudication of guilt and proceed  
14 as otherwise provided. Upon fulfillment of the terms and conditions, the court shall discharge the  
15 person and dismiss the proceedings against the person. Discharge and dismissal under this section  
16 shall be without adjudication of guilt and is not a conviction for purposes of this section or for  
17 purposes of disqualifications or disabilities imposed by law upon conviction of a crime. There may  
18 be only one discharge and dismissal under this section with respect to any person.

19 **SECTION 2.** **This 2013 Act being necessary for the immediate preservation of the public**  
20 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
21 **on its passage.**

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**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.