

BILL SUMMARY
1st Session of the 59th Legislature

Bill No.:	SB108
Version:	FA1
Request Number:	
Author:	Rep. Bennett
Date:	4/26/2023
Impact:	No Impact

Research Analysis

The floor amendment to SB 108 provides that a person convicted, receives a deferred sentence, or receives a suspended sentence for certain drug related crimes, excluding the use of marijuana, who receives a second conviction within 10 years is guilty of a misdemeanor and may be required to complete a substance abuse assessment and be required to follow the recommendations of the assessment. The person may also be required to complete a drug diversion program for up to 1 year. If the person fails or refuses to complete the diversion program, the person may be sentenced to up to 1 year in the county jail, a \$1,000 fine or both fine and imprisonment. Any person with a third or subsequent conviction within 10 years may be required to complete a drug diversion program for up to 3 years.

The measure provides that violations under this section are to be referred to the state or municipal court of record for prosecution. The offense may be prosecuted in municipal court not of record if the court has the discretion to required any of the drug diversion options available. The measure allows municipal courts to adopt ordinances consistent with this section.

Prepared By: Brad Wolgamott

Fiscal Analysis

In its current form, SB108 modifies the penalties for a person convicted of possessing or selling certain substances. This measure is not expected to directly impact state revenues or state appropriations. The floor amendment does not change the impact of the bill.

Prepared By: Zachary Penrod, House Fiscal Staff

Other Considerations

None.