

## SENATE AMENDMENTS TO A-ENGROSSED SENATE BILL 755

By JOINT COMMITTEE ON WAYS AND MEANS

June 14

- 1 On page 2 of the printed A-engrossed bill, line 18, after “screening” insert a comma.  
2 In line 21, after “screening” insert a comma.  
3 On page 4, line 28, after the period insert “A recipient of a grant or funding under this sub-  
4 section may not use the grant or funding to supplant the recipient’s existing funding.”.  
5 Delete lines 29 and 30 and insert:  
6 “(b) The council and the authority shall ensure that residents of each county have access to all  
7 of the services described in paragraph (d) of this subsection.”.  
8 In line 32, after “participants” insert “to provide services in one or more counties.”.  
9 On page 5, after line 17, insert:  
10 “(e) If an applicant for a grant or funding under this subsection is unable to provide all of the  
11 services described in paragraph (d) of this subsection, the applicant may identify how the applicant  
12 intends to partner with other entities to provide the services, and the Oregon Health Authority and  
13 the council may facilitate collaboration among applicants.”.  
14 In line 18, delete “(e)” and insert “(f)”.  
15 In line 19, delete “patient-centered” and insert “person-centered”.  
16 In line 22, delete “(f)” and insert “(g)”.  
17 Delete lines 30 through 37 and insert:  
18 “(h) Verification of a screening by a certified addiction peer support specialist, wellness spe-  
19 cialist or other person in accordance with subsection (2)(d)(A) of this section shall promptly be  
20 provided to the client by the entity conducting the screening. If the client executes a valid release  
21 of information, the entity shall provide verification of the screening to the Oregon Health Authority  
22 or a contractor of the authority and the authority or the authority’s contractor shall forward the  
23 verification to the court, in the manner prescribed by the Chief Justice of the Supreme Court, to  
24 satisfy the conditions for dismissal under section 22, chapter 2, Oregon Laws 2021 (Ballot Measure  
25 110 (2020)), or section 46 of this 2021 Act.  
26 “(3)(a) If moneys remain in the Drug Treatment and Recovery Services Fund after the council  
27 has committed grants and funding to establish behavioral health resource networks serving every  
28 county in this state, the council shall provide”.  
29 In line 39, after “to” insert “the nine federally recognized tribes in this state and”.  
30 In line 41, delete “(a)” and insert “(A)”.  
31 In line 42, delete “patient-centered” and insert “person-centered”.  
32 In line 43, delete “(b)” and insert “(B)”.  
33 In line 44, delete “(c)” and insert “(C)”.  
34 In line 45, delete “or”.  
35 On page 6, line 1, delete “(d)” and insert “(D)”.

1 In line 3, delete the period and insert “; or  
2 “(E) Incentives and supports to expand the behavioral health workforce to support the services  
3 delivered by behavioral health resource networks and entities receiving grants or funding under this  
4 subsection.  
5 “(b) A recipient of a grant or funding under this subsection may not use the grant or funding  
6 to supplant the recipient’s existing funding.  
7 “(4) In awarding grants and funding under subsections (2) and (3) of this section, the council  
8 shall:  
9 “(a) Distribute grants and funding to ensure access to:  
10 “(A) Historically underserved populations; and  
11 “(B) Culturally specific and linguistically responsive services.  
12 “(b) Consider any inventories or surveys of currently available behavioral health services.  
13 “(c) Consider available regional data related to the substance use disorder treatment needs and  
14 the access to culturally specific and linguistically responsive services in communities in this state.  
15 “(d) Consider the needs of residents of this state for services, supports and treatment at all  
16 ages.”  
17 Delete lines 4 through 6.  
18 In line 14, after “Drug” insert “Policy”.  
19 After line 26, insert:  
20 “**SECTION 2a. (1) Grants and funding under section 2 (2), chapter 2, Oregon Laws 2021**  
21 **(Ballot Measure 110 (2020)), must be disbursed such that at least one Behavioral Health Re-**  
22 **source Network is established and operational within each county by January 1, 2022.**  
23 **“(2) If the recipients of grants and funding under section 2 (2), chapter 2, Oregon Laws**  
24 **2021 (Ballot Measure 110 (2020)), cannot provide all of the services described in section 2**  
25 **(2)(d), chapter 2, Oregon Laws 2021 (Ballot Measure 110 (2020)), within a county by January**  
26 **1, 2022, the Oversight and Accountability Council and the Oregon Health Authority shall is-**  
27 **sue additional requests for proposals to provide the necessary services.”.**  
28 On page 7, line 6, after “health” insert “care”.  
29 In line 7, delete “and”.  
30 In line 9, delete the period and insert “; and  
31 “(N) The Director of the Alcohol and Drug Policy Commission or the director’s designated staff  
32 person, as a nonvoting member.”.  
33 In line 23, after “with” insert “the provisions of ORS chapter 244, including”.  
34 In line 45, before the period insert “, and that recipients of grants or funding comply with all  
35 applicable rules regulating the provision of behavioral health services”.  
36 On page 8, after line 17, insert:  
37 “(6) The Department of Justice shall provide legal services to the council if requested to assist  
38 the council in carrying out the council’s duties and obligations.”.  
39 On page 9, line 21, delete “2020” and insert “2021”.  
40 In line 29, delete “beginning July 1, 2019” and insert “ending June 30, 2019”.  
41 On page 12, after line 20, insert:  
42 “**SECTION 10a. During calendar year 2021, the Oversight and Accountability Council may**  
43 **award up to \$13 million in grants under section 2, chapter 2, Oregon Laws 2021 (Ballot**  
44 **Measure 110 (2020)), based on grant applications received and provisionally approved by the**  
45 **council in calendar year 2021, as authorized by section 12, chapter 4, Oregon Laws 2021 (En-**

1 **rolled House Bill 5042).**”.

2 On page 15, line 5, delete “(2)(d)(B)” and insert “(2)(d)(A)”.

3 In line 6, delete “, in lieu of paying a fine”.

4 In line 21, delete “(2)(d)(B)” and insert “(2)(d)(A)”.

5 Delete lines 24 through 30 and insert:

6 “(2) Upon receiving verification that the person has obtained a screening through a Behavioral  
7 Health Resource Network, including the telephone hotline described in section 23 (1), chapter 2,  
8 Oregon Laws 2021 (Ballot Measure 110 (2020)), or any other equivalent or more intensive treatment  
9 contact, within the time period described in subsection (1) of this section, the court shall dismiss the  
10 citation.

11 “(3) The failure to pay a fine on a Class E violation is not a basis for further penalties or for  
12 a term of incarceration.”.

13 On page 16, line 22, delete “(2)(g)” and insert “(2)(h)”.

14 On page 19, line 10, delete “drug ad-”.

15 In line 11, delete “diction” and insert “substance use disorder”.

16 In line 34, delete “has” and insert “have”.

17 On page 23, line 1, delete “September 15, 2023, and” and insert “January 1, 2022, and at the  
18 beginning of”.

19 Delete line 4 and insert “in the preceding calendar quarter.

20 **“SECTION 24a. The Oregon Health Authority shall report, in the manner provided in ORS**  
21 **192.245, to the interim subcommittee of the Joint Committee on Ways and Means related to**  
22 **human services and to the interim committees of the Legislative Assembly related to mental**  
23 **or behavioral health:**

24 **“(1) No later than January 31, 2022, the number of applications for grants or funding**  
25 **awarded under section 2, chapter 2, Oregon Laws 2021 (Ballot Measure 110 (2020)), and, for**  
26 **each award, the:**

27 **“(a) Amount of the grant or funding;**

28 **“(b) Array of services provided by each recipient;**

29 **“(c) Duration of the award; and**

30 **“(d) Geographic area served by each recipient.**

31 **“(2) No later than 30 days after grants or funding have been awarded to entities serving**  
32 **every county in this state:**

33 **“(a) The name of each recipient of a grant or funding providing services described in**  
34 **section 2 (2)(d), chapter 2, Oregon Laws 2021 (Ballot Measure 110 (2020)), and any subcon-**  
35 **tractors of the recipient; and**

36 **“(b) The services provided by each recipient and the counties where the services will be**  
37 **provided by the recipient.**

38 **“(3) No later than 30 days after the grants or funding have been awarded for the**  
39 **biennium beginning July 1, 2021:**

40 **“(a) Details of the awards;**

41 **“(b) The grants or funding awarded for services described in section 2 (2), chapter 2,**  
42 **Oregon Laws 2021 (Ballot Measure 110 (2020)), and the grants or funding that were awarded**  
43 **to provide services described in section 2 (3), chapter 2, Oregon Laws 2021 (Ballot Measure**  
44 **110 (2020)); and**

45 **“(c) Total budget projections for the biennia beginning July 1, 2021, and July 1, 2023.”.**

1 Delete lines 35 through 41 and insert:

2 **“SECTION 27. (1) If a youth is within the jurisdiction of the court for having committed**  
3 **an act that, if committed by an adult, would constitute a Class E violation, the court shall**  
4 **proceed in accordance with section 22, chapter 2, Oregon Laws 2021 (Ballot Measure 110**  
5 **(2020)).**

6 **“(2) Nothing in subsection (1) of this section prevents a youth from entering into a**  
7 **formal accountability agreement under ORS 419C.230 for a Class E violation.”.**

8 On page 36, delete line 45.

9 On page 37, delete lines 1 through 11 and insert:

10 **“SECTION 46. (1) Notwithstanding ORS 161.566, a prosecuting attorney may elect to treat**  
11 **as a Class E violation any offense that would constitute a Class E violation had the offense**  
12 **been committed on or after February 1, 2021, as described in this section.**

13 **“(2) If the prosecuting attorney elects to treat an offense as a Class E violation under**  
14 **this section, with the consent of the defendant and as part of the same hearing, the prose-**  
15 **cuting attorney shall move to dismiss the original offense and simultaneously initiate a Class**  
16 **E violation proceeding. In providing consent under this subsection, the defendant waives any**  
17 **challenge to the Class E violation under ORS 131.125.**

18 **“(3) If, at the hearing described in subsection (2) of this section, the court has received**  
19 **verification that the defendant has obtained a screening through a Behavioral Health Re-**  
20 **source Network, including the telephone hotline described in section 23 (1), chapter 2, Oregon**  
21 **Laws 2021 (Ballot Measure 110 (2020)), or any other equivalent or more intensive treatment**  
22 **contact, the court shall dismiss the citation.”.**

23 After line 22, insert:

24

25

**“REPEAL**

26

27 **“SECTION 48. Section 24a of this 2021 Act is repealed on January 2, 2024.”.**

28 In line 26, delete “48” and insert “49”.

29 In line 32, delete “49” and insert “50”.

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