

MEASURE 110: Drug Addiction Treatment and Decriminalization

OFFICIAL TITLE: Provides statewide addiction/recovery services; marijuana taxes partially finance; reclassifies possession/penalties for specified drugs

INITIATIVE: The measure is a statutory amendment placed on the ballot by initiative petition with an estimated 154,010 valid signatures.

FINANCIAL IMPACT: This measure redistributes marijuana revenue above \$11.25 million per quarter from existing recipients to the Drug Addiction Treatment and Decriminalization Fund, reducing revenue to the State School Fund, the State Police, mental health programs, and local governments. The total reduction is \$8.6 million in 2019-21 and \$36.4 million in 2021-23. This will also reduce revenue transferred from the Department of Corrections for local government community corrections.

PROBABLE RESULT OF “YES” VOTE: If this measure passes, it will make personal, non-commercial possession of a controlled substance no more than a Class E violation (maximum fine of \$100) and will establish a drug addiction treatment and recovery program funded in part by the state's marijuana tax revenue.

PROBABLE RESULT OF “NO” VOTE: Retains laws classifying personal possession of drugs listed in Controlled Substances Act Schedules I through IV as a misdemeanor. Non-commercial possession of a controlled substance will continue to carry a penalty of a Class A misdemeanor (maximum penalty of one year in prison and a \$6,250 fine).

BACKGROUND: Currently, personal, non-commercial (small amount) possession of drugs listed in Schedule I, II, III, or IV of the federal Controlled Substances Act is a Class A or C misdemeanor.

PROPOSAL: Measure 110 would decriminalize possession of illegal substances in Oregon, but the manufacture or sale would remain illegal. The measure would redirect marijuana taxes to fund drug treatment.

This measure would eliminate criminal penalties and classify possession of small amounts of controlled substances as a Class E violation. These violations would be subject to a \$100 fine or completion of a health assessment by an “addiction recovery center.”

This measure would create a “Drug Treatment and Recovery Services Fund” financed by legislative appropriations and Oregon Marijuana Account allocations. It would also establish an advisory council to oversee and approve grants to existing agencies or coordinated care organizations by October 1, 2021.

ARGUMENTS PRO AND CON

Yes - For the Measure

- Creating culturally appropriate treatment programs to solve Oregon’s drug problems is more effective than incarceration.
- Money currently spent on arrest, prosecution and incarceration can be more effectively spent on treatment.

No - Against the Measure

- This measure would divert the dedicated marijuana-tax income from the regulation of the growth, sale, and distribution of legal cannabis.
- Revenue from the marijuana tax would be inadequate to fund both regulation and treatment.