

**BILL SUMMARY**  
1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB2153</b>
<b>Version:</b>	<b>SAHB</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Ford</b>
<b>Date:</b>	<b>5/11/2023</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

**Research Analysis**

The Senate amendments to HB 2153 provides that any person convicted of a second offense within 10 years of the previous conviction relating to possessing, selling, or purchasing controlled dangerous substances may be ordered by the court to complete a diversion program for up to 1 year following the date of conviction in lieu of other punishments. The program may include drug testing as a requirement. Any person convicted of a third offense within 10 years of the previous conviction shall be subject to a fine not exceeding \$1,000 a term of imprisonment in the county jail not to exceed 30 days or both fine and imprisonment. The court may, with the consent of the defendant, order the defendant to complete a substance abuse assessment and evaluation and to complete a diversion program for up to 3 years following the date of conviction. The court may impose punishment as provided for in current law if the defendant refuses to complete the program. Any person convicted for a fourth offense within the 10-year period shall be subject to a fine not to exceed \$5,000 a term of imprisonment for not less than 1 year and not more than 5 years or both fine and imprisonment. The court may order the defendant to complete a diversion program and, upon completing the program, change the felony charges to a misdemeanor.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: House Fiscal Staff

**Other Considerations**

None.