

**Bill Summary**  
1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 2153</b>
<b>Version:</b>	<b>FS</b>
<b>Request No.:</b>	<b>2168</b>
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**Bill Analysis**

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 \$1,000.00 and/or a term of imprisonment in the county jail not to exceed 30 days. 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 \$5,000.00 and/or a term of imprisonment for not less than 1 year and not more than 5 years. The court may order the defendant to complete a diversion program and, upon completing the program, change the felony charges to a misdemeanor.

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