

BILL SUMMARY
2nd Session of the 57th Legislature

Bill No.:	HB 3960
Version:	INT
Request Number:	9098
Author:	Rep. Fetgatter
Date:	2/17/2020
Impact:	\$0

Research Analysis

HB 3960 provides for the administration of field sobriety tests for marijuana. The measure an officer to have made an articulable observation, other than the odor of marijuana, including, but not limited to, glassy or red eyes or slurring speech, to request that the driver submit to a field sobriety test for marijuana. Evidence of the presence or concentration of marijuana is admissible. However, no person shall be convicted of the offense of operating or being in actual physical control of a motor vehicle while such person's ability to operate such vehicle was impaired by marijuana in the absence of additional evidence that such person's ability to operate vehicle was affected to a degree that the person was rendered substantially incapable, either mentally or physically by marijuana to the extent that the public health and safety was threatened or the person violated a state statute or local ordinance in the operation of a motor vehicle. Possession of a medical marijuana use card does not constitute a defense against any charge.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 3960, which deals with field testing for marijuana, has no fiscal or revenue considerations for the state. This measure might increase or decrease the amount of individuals charged with a certain crime, however, this is not quantifiable and is not expected to create any significant impact on the state.

Prepared By: Kristina King

Other Considerations

None.