

House Bill 2321

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Joint Interim Committee on Judiciary for Oregon District Attorneys Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Increases penalties for intimidation in second degree under certain circumstances to maximum five years' imprisonment, \$125,000 fine, or both.

A BILL FOR AN ACT

1
2 Relating to intimidation; amending ORS 166.155.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 166.155 is amended to read:

5 166.155. (1) A person commits the crime of intimidation in the second degree if the person:

6 (a) Tamper or interferes with property, having no right to do so nor reasonable ground to be-
7 lieve that the person has such right, with the intent to cause substantial inconvenience to another
8 because of the person's perception of the other's race, color, religion, national origin or sexual ori-
9 entation;

10 (b) Intentionally subjects another to offensive physical contact because of the person's percep-
11 tion of the other's race, color, religion, national origin or sexual orientation; or

12 (c) Intentionally, because of the person's perception of race, color, religion, national origin or
13 sexual orientation of another or of a member of the other's family, subjects such other person to
14 alarm by threatening:

15 (A) To inflict serious physical injury upon or to commit a felony affecting such other person,
16 or a member of the person's family; or

17 (B) To cause substantial damage to the property of the other person or of a member of the other
18 person's family.

19 (2) Intimidation in the second degree is a Class A misdemeanor.

20 (3) **Notwithstanding subsection (2) of this section, intimidation in the second degree is a**
21 **Class C felony if the person commits the crime of intimidation in the second degree and:**

22 (a) **The crime is committed in the immediate presence of, or is witnessed by, a person**
23 **who is under 18 years of age; or**

24 (b) **The person is at least 18 years of age and the victim is under 18 years of age.**

25 [(3)] (4) For purposes of this section:

26 (a) "Property" means any tangible personal property or real property.

27 (b) "Sexual orientation" means heterosexuality, homosexuality or bisexuality.

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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.