

# Senate Bill 436

Sponsored by Senator PROZANSKI

## 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**.

Authorizes criminal prosecution of identity theft in county of residence of identity theft victims.

## A BILL FOR AN ACT

Relating to venue in criminal prosecutions; amending ORS 131.315.

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

**SECTION 1.** ORS 131.315 is amended to read:

131.315. (1) If conduct constituting elements of an offense or results constituting elements of an offense occur in two or more counties, trial of the offense may be held in any of the counties concerned.

(2) If a cause of death is inflicted on a person in one county and the person dies therefrom in another county, trial of the offense may be held in either county.

(3) If the commission of an offense commenced outside this state is consummated within this state, trial of the offense shall be held in the county in which the offense is consummated or the interest protected by the criminal statute in question is impaired.

(4) If an offense is committed on any body of water located in, or adjacent to, two or more counties or forming the boundary between two or more counties, trial of the offense may be held in any nearby county bordering on the body of water.

(5) If an offense is committed in or upon any railroad car, vehicle, aircraft, boat or other conveyance in transit and it cannot readily be determined in which county the offense was committed, trial of the offense may be held in any county through or over which the conveyance passed.

(6) If an offense is committed on the boundary of two or more counties or within one mile thereof, trial of the offense may be held in any of the counties concerned.

(7) A person who commits theft, burglary or robbery may be tried in any county in which the person exerts control over the property that is the subject of the crime.

(8) If the offense is an attempt or solicitation to commit a crime, trial of the offense may be held in any county in which any act that is an element of the offense is committed.

(9) If the offense is criminal conspiracy, trial of the offense may be held in any county in which any act or agreement that is an element of the offense occurs.

(10) A person who in one county commits an inchoate offense that results in the commission of an offense by another person in another county, or who commits the crime of hindering prosecution of the principal offense, may be tried in either county.

(11) A criminal nonsupport action may be tried in any county in which the dependent child is found, irrespective of the domicile of the parent, guardian or other person lawfully charged with support of the child.

**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.

1 (12) If the offense is theft and the offense consists of an aggregate transaction involving more  
2 than one county, trial of the offense may be held in any county in which one of the acts of theft  
3 was committed.

4 (13) When a prosecution is for violation of the Oregon Securities Law, the trial of the offense  
5 may be held in the county in which:

6 (a) The offer to purchase or sell securities took place or where the sale or purchase of securities  
7 took place; or

8 (b) Any act that is an element of the offense occurred.

9 (14) When a prosecution under ORS 165.692 and 165.990 or 411.675 and 411.990 (2) and (3) in-  
10 volves Medicaid funds, the trial of the offense may be held in the county in which the claim was  
11 submitted for payment or in the county in which the claim was paid.

12 **(15) When a prosecution is for violation of ORS 165.800, the trial of the offense may be**  
13 **held in any county in which the offense was committed or in the county of residence of the**  
14 **person whose personal identification was obtained, possessed, transferred, created, uttered**  
15 **or converted.**

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