

Senate Bill 801

Sponsored by Senator WHITSETT; Representative BOQUIST

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**.

Defines "peace officer" for purposes of exemption from liability for taking custody of persons who are intoxicated or under influence of controlled substance.

A BILL FOR AN ACT

1
2 Relating to liability of peace officers for persons in custody; amending ORS 430.401.

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

4 **SECTION 1.** ORS 430.401 is amended to read:

5 430.401. (1) No peace officer, treatment facility and staff, physician or judge shall be held
6 criminally or civilly liable for actions pursuant to ORS 430.315 to 430.335 and 430.397 to 430.401
7 provided the actions are in good faith, on probable cause and without malice.

8 (2) **As used in this section, "peace officer" has the meaning given that term in ORS**
9 **161.015.**

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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.