

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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**Action:** Do Pass as Amended, Be Printed Engrossed and Rescind Subsequent Referral to Ways and Means.  
**Vote:** 10 - 0 - 0  
**Yeas:** Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker  
**Nays:** 0  
**Exc.:** 0  
**Prepared By:** Shannon Sivell, Counsel  
**Meeting Dates:** 2/17, 4/6, 4/14

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**WHAT THE MEASURE DOES:** Expands the definition of assault in the third degree to include an assault with dangerous substance on a public safety officer. Deletes saliva from the list of dangerous substances with respect to public safety officers. Clarifies that there is no requirement to sentence an offender convicted of assaulting a public safety officer with a dangerous substance to a prison sentence.

**ISSUES DISCUSSED:**

- Protections for public safety officers
- Impact of an attack on public safety officers
- Breadth of the measure
- Severity of spitting vs. throwing blood, etc.

**EFFECT OF COMMITTEE AMENDMENT:** Deletes saliva from the list of dangerous substances with respect to public safety officers. Clarifies that there is no requirement to sentence an offender convicted of assaulting a public safety officer with a dangerous substance to a prison sentence.

**BACKGROUND:** Under ORS 163.165, corrections officers and other facility, staff or volunteers working at a correctional facility are protected. This measure provides similar protection to public safety officers working outside correctional facilities. Officers subjected to the kinds of attacks covered by this measure face extensive testing and preventative medical attention because of the health risks associated with exposure to blood, feces and urine. A subsequent referral to the Ways and Means Committee was rescinded due to the minimal fiscal impact of HB 2401A.