

**REVENUE: No revenue impact**

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

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**Action:** Concur in the Senate Amendments dated 6/8 and Further Amend and Repass the Bill

**Vote:** 6 - 0 - 0

**Yeas:** Bonamici, Boquist, Prozanski, Barker, Olson, Stiegler

**Nays:** 0

**Exc.:** 0

**Prepared By:** Anna Braun, Counsel

**Meeting Dates:** 6/23

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**WHAT THE MEASURE DOES:** Increases penalty for harassment to a Class A misdemeanor under certain circumstances. Creates the crime of aggravated harassment. Creates the crime of aggravated driving while suspended or revoked. Extends the amount of time for seeking reimbursement from person committed to a local correctional facility.

**ISSUES DISCUSSED:**

- Provisions of the amendment.

**EFFECT OF COMMITTEE AMENDMENT:** In Section 5 of the bill which created the crime of vehicular homicide, the following changes were made: Changes the term “vehicular homicide” to “aggravated driving while suspended or revoked” throughout the bill. Adds serious physical injury to death in line 39. Requires a knowing violation of ORS 811.175 and ORS 811.182. Adds conviction for a criminal offense involving the use of a motor vehicle. Requires the Criminal Justice Commission to classify the crime as a level 7 on the sentencing grid. Removes conflicting provisions.

**BACKGROUND:** HB 3271B elevates the penalties for harassment from a Class B misdemeanor to a Class A misdemeanor if: The perpetrator had a previous conviction for harassment and the victim is the same as in the original offense or a family member of the victim of the original offense; the victim is protected by a stalking order; the victim is under 18 years and more than three years younger than the perpetrator; or the perpetrator threatened to kill the victim or a family member. It also clarifies that the crime occurs either in the county where the threat originated or was received.

In addition, HB 3271B creates the crime of aggravated harassment as knowingly propelling saliva, blood, urine semen or feces or other dangerous substance at a staff member defined under ORS 163.165 (corrections officer, youth authority staff member or volunteer) or public safety officer (emergency medical technician, firefighter, parole or probation or police officer), as a Class C felony.

Also, HB 3271B creates the crime of aggravated driving while suspended or revoked defined as causing the serious injury or death of another person while having a suspended or revoked license resulting from a criminal offense. Makes the offense a level 7 on the sentencing grid.

Lastly, HB 3271B extends the amount of time a county or city has to seek reimbursement from a person committed to a local correctional facility from one year to six years.

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***This summary has not been adopted or officially endorsed by action of the committee.***