

House Bill 3026

Sponsored by COMMITTEE ON JUDICIARY

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**.

Modifies circumstances under which motor vehicle used in drive-by shooting is subject to civil forfeiture.

A BILL FOR AN ACT

1
2 Relating to drive-by shootings; creating new provisions; and amending ORS 163.707.

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

4 **SECTION 1.** ORS 163.707 is amended to read:

5 163.707. (1) A motor vehicle used [*by the owner*] in a drive-by shooting is subject to civil in rem
6 forfeiture.

7 (2) Seizure and forfeiture proceedings under this section shall be conducted in accordance with
8 ORS chapter 475A.

9 (3) As used in this section, "drive-by shooting" means discharge of a firearm from a motor ve-
10 hicle while committing or attempting to commit:

11 (a) Aggravated murder under ORS 163.095;

12 (b) Murder under ORS 163.115;

13 (c) Manslaughter in any degree under ORS 163.118 or 163.125;

14 (d) Assault in any degree under ORS 163.160, 163.165, 163.175 or 163.185;

15 (e) Menacing under ORS 163.190;

16 (f) Recklessly endangering another person under ORS 163.195;

17 (g) Assaulting a public safety officer under ORS 163.208; or

18 (h) Intimidation in any degree under ORS 166.155 or 166.165.

19 **SECTION 2. The amendments to ORS 163.707 by section 1 of this 2009 Act apply to motor**
20 **vehicles seized on or after the effective date of this 2009 Act.**
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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.