

House Bill 3594

Sponsored by Representative BARKER

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**.

Creates offense of refusal to identify. Punishes by maximum fine of \$720.

A BILL FOR AN ACT

1
2 Relating to refusal to identify to a peace officer.

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

4 **SECTION 1. (1) A person commits the offense of refusal to identify if:**

5 (a) **Having been present at the scene of a felony within six hours of the incident and,**
6 **after having been specifically informed by a peace officer that the person's identity and res-**
7 **idence address are being requested in connection with the investigation of a felony, the per-**
8 **son refuses or fails to accurately report the person's identity or residence address in**
9 **response to the peace officer's demand.**

10 (b) **After having been specifically informed by a peace officer that the peace officer re-**
11 **quires the person's identity and residence address to issue a citation under paragraph (a) of**
12 **this subsection, the person refuses or fails to accurately report the person's identity or**
13 **residence address to the peace officer.**

14 (2) **A person who is cited for refusal to identify may be detained only for the time that**
15 **is reasonably necessary to investigate and establish the person's identity or residence ad-**
16 **dress. The detention may include transportation to a police station for photographing and**
17 **fingerprinting.**

18 (3) **Refusal to identify is a Class A violation.**

19 (4) **As used in this section:**

20 (a) **"Identity" means the person's true name and date of birth.**

21 (b) **"Peace officer" has the meaning given that term in ORS 161.015.**

22 (c) **"True name" has the meaning given that term in ORS 135.060.**

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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.