

# D R A F T

## SUMMARY

Adds saliva to list of bodily substances that may not be propelled at public safety officer under aggravated harassment statute.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to aggravated harassment; creating new provisions; amending ORS 166.070; and declaring an emergency.

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

**SECTION 1.** ORS 166.070, as amended by section 27, chapter 54, Oregon Laws 2012, is amended to read:

166.070. (1) A person commits the crime of aggravated harassment if the person, knowing that the other person is a:

(a) Staff member, knowingly propels saliva, blood, urine, semen, feces or other dangerous substance at the staff member while the staff member is acting in the course of official duty or as a result of the staff member's official duties; or

(b) Public safety officer, knowingly propels **saliva**, blood, urine, semen or feces at the public safety officer while the public safety officer is acting in the course of official duty or as a result of the public safety officer's official duties.

(2) Aggravated harassment is a Class C felony. When a person is convicted of violating subsection (1)(a) of this section, in addition to any other sentence it may impose, the court shall impose a term of incarceration in a state correctional facility.

1 (3) As used in this section:

2 (a) "Public safety officer" means an emergency medical services provider  
3 as defined in ORS 682.025, a liquor enforcement inspector as defined in ORS  
4 471.001 or a fire service professional, a parole and probation officer or a po-  
5 lice officer as those terms are defined in ORS 181.610.

6 (b) "Staff member" has the meaning given that term in ORS 163.165.

7 **SECTION 2. The amendments to ORS 166.070 by section 1 of this**  
8 **2013 Act apply to conduct occurring on or after the effective date of**  
9 **this 2013 Act.**

10 **SECTION 3. This 2013 Act being necessary for the immediate pres-**  
11 **ervation of the public peace, health and safety, an emergency is de-**  
12 **clared to exist, and this 2013 Act takes effect on its passage.**

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