

# House Bill 2595

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim 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**.

Creates crime of interference with state forestland management in the second degree. Makes violation subject to maximum penalty of one year's imprisonment, \$6,250 fine, or both.

Creates crime of interference with state forestland management in the first degree. Makes violation subject to maximum penalty of five years' imprisonment, \$125,000 fine, or both. Requires mandatory minimum term of 13 months' imprisonment for first conviction and five years' imprisonment for subsequent convictions.

## A BILL FOR AN ACT

1  
2 Relating to interference with forest management.

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

4 **SECTION 1. (1) As used in this section:**

5 (a) "Access road" means a road owned or maintained by the State Forestry Department  
6 as a means of reaching the exterior boundary of state forestland.

7 (b) "Forest practice" has the meaning given that term in ORS 527.620.

8 (c) "State forestland" means:

9 (A) Forestland acquired under ORS 530.010 to 530.040; and

10 (B) Common School Forest Lands and Elliott State Forest Lands managed under ORS  
11 530.490.

12 (2) A person commits the crime of interference with state forestland management in the  
13 second degree if:

14 (a) The State Forestry Department or any public or private entity authorized by the de-  
15 partment is performing or attempting to perform a forest practice on state forestland; and

16 (b) The person, while on state forestland or on an access road, intentionally hinders,  
17 impairs or obstructs, or attempts to hinder, impair or obstruct, the performance of the for-  
18 est practice.

19 (3) The crime of interference with state forestland management in the second degree is  
20 a Class A misdemeanor.

21 **SECTION 2. (1) As used in this section:**

22 (a) "Access road," "forest practice" and "state forestland" have the meanings given those  
23 terms in section 1 of this 2013 Act.

24 (b) "Law enforcement officer" means a person employed in this state as a police officer  
25 by:

26 (A) A county sheriff, constable or marshal; or

27 (B) A municipal or state police agency.

28 (2) A person commits the crime of interference with state forestland management in the

**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.

1 **first degree if:**

2 (a) **The State Forestry Department or any public or private entity authorized by the de-**  
3 **partment is performing or attempting to perform a forest practice on state forestland;**

4 (b) **The person, while on state forestland or on an access road, intentionally hinders,**  
5 **impairs or obstructs, or attempts to hinder, impair or obstruct, the performance of the for-**  
6 **est practice;**

7 (c) **A law enforcement officer informs the person that the person is unlawfully interfer-**  
8 **ing with state forestland management;**

9 (d) **A law enforcement officer orders the person to cease impairing, hindering or ob-**  
10 **structing the performance of the forest practice, or to cease attempting to hinder, impair**  
11 **or obstruct the performance of the forest practice; and**

12 (e) **The person fails to obey the order to cease hindering, impairing or obstructing the**  
13 **performance of the forest practice or attempting to hinder, impair or obstruct the perform-**  
14 **ance of the forest practice.**

15 (3) **The crime of interference with state forestland management in the first degree is a**  
16 **Class C felony. Except as provided in this subsection, a court finding a person guilty of a**  
17 **felony under this section shall impose a minimum term of imprisonment of 13 months. If a**  
18 **person convicted of a felony under this section has a previous conviction for violation of this**  
19 **section, the court shall impose a term of imprisonment of five years. As used in this sub-**  
20 **section, “previous conviction” means a conviction that was entered before commission of the**  
21 **current crime of conviction.**

22 **SECTION 3. Sections 1 and 2 of this 2013 Act apply to conduct that occurs on or after**  
23 **the effective date of this 2013 Act, including but not limited to any conduct on or after the**  
24 **effective date of this 2013 Act that is a continuation of conduct initiated prior to the effective**  
25 **date of this 2013 Act.**

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