

## SENATE AMENDMENTS TO SENATE BILL 92

By COMMITTEE ON JUDICIARY

April 22

- 1 On page 1 of the printed bill, line 2, delete “amending ORS 163.190 and 166.065;”.
- 2 Delete lines 4 through 30 and insert:
- 3 **“SECTION 1. (1) A person commits the crime of threatening a public official if:**
- 4 **“(a) The person knowingly delivers or conveys, directly or indirectly and by any means,**
- 5 **a threatening communication to a public official or a member of the public official’s imme-**
- 6 **diate family;**
- 7 **“(b) A reasonable person would expect the threatening communication to be followed by**
- 8 **unlawful acts; and**
- 9 **“(c) The person delivered or conveyed the threatening communication because of:**
- 10 **“(A) The performance or nonperformance of some public duty of the public official;**
- 11 **“(B) The status or position of the public official; or**
- 12 **“(C) Any other factor related to the public official’s office or duties.**
- 13 **“(2) As used in this section:**
- 14 **“(a) ‘Immediate family’ means a spouse, persons related by descending lineal**
- 15 **consanguinity, stepchildren, lawfully adopted children and foster children.**
- 16 **“(b) ‘Public official’ means a person elected or appointed to an office established, and the**
- 17 **qualifications and duties of which are prescribed, by statute to perform a public duty for this**
- 18 **state or any political subdivision of the state, and persons who have filed the required doc-**
- 19 **uments for nomination or election to such office. ‘Public official’ includes an assistant or**
- 20 **deputy district attorney, an assistant attorney general and a judge serving upon appointment**
- 21 **as a senior judge or a judge pro tempore.**
- 22 **“(c) ‘Threatening communication’ means a communication that instills in the recipient**
- 23 **a fear that the person delivering or conveying the communication will cause imminent and**
- 24 **serious physical injury to or the death of the recipient or the recipient’s immediate family.**
- 25 **“(3)(a) Threatening a public official is a Class A misdemeanor.**
- 26 **“(b) Notwithstanding paragraph (a) of this subsection, threatening a public official is a**
- 27 **Class C felony if the person has a prior conviction for threatening a public official at the time**
- 28 **of the offense.”.**
- 29 On page 2, delete lines 1 through 24.
- 30 In line 25, delete “3” and insert “2”.
- 31
-