

**PROPOSED AMENDMENTS TO
SENATE BILL 92**

1 On page 1 of the printed bill, line 2, delete “amending ORS 163.190 and
2 166.065;”.

3 Delete lines 4 through 30 and insert:

4 **“SECTION 1. (1) A person commits the crime of threatening a
5 public official if:**

6 **“(a) The person knowingly delivers or conveys, directly or indirectly
7 and by any means, a threatening communication to a public official
8 or a member of the public official’s immediate family;**

9 **“(b) A reasonable person would expect the threatening communi-
10 cation to be followed by unlawful acts; and**

11 **“(c) The person delivered or conveyed the threatening communi-
12 cation because of:**

13 **“(A) The performance or nonperformance of some public duty of the
14 public official;**

15 **“(B) The status or position of the public official; or**

16 **“(C) Any other factor related to the public official’s office or duties.**

17 **“(2) As used in this section:**

18 **“(a) ‘Immediate family’ means a spouse, persons related by de-
19 scending lineal consanguinity, stepchildren, lawfully adopted children
20 and foster children.**

21 **“(b) ‘Public official’ means a person elected or appointed to an of-
22 fice established, and the qualifications and duties of which are pre-**

1 scribed, by statute to perform a public duty for this state or any
2 political subdivision of the state, and persons who have filed the re-
3 quired documents for nomination or election to such office. “Public
4 official” includes an assistant or deputy district attorney, an assistant
5 attorney general and a judge serving upon appointment as a senior
6 judge or a judge pro tempore.

7 “(c) ‘Threatening communication’ means a communication that
8 instills in the recipient a fear that the person delivering or conveying
9 the communication will cause imminent and serious physical injury
10 to or the death of the recipient or the recipient’s immediate family.

11 “(3)(a) Threatening a public official is a Class A misdemeanor.

12 “(b) Notwithstanding paragraph (a) of this subsection, threatening
13 a public official is a Class C felony if the person has a prior conviction
14 for threatening a public official at the time of the offense.”.

15 On page 2, delete lines 1 through 24.

16 In line 25, delete “3” and insert “2”.

17
