

STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/02/15

Action: Do Pass.

Meeting Dates: 04/02

Vote:

Yeas: 5 - Burdick, Gelser, Kruse, Prozanski, Thatcher

Prepared By: Eric Deitrick, Counsel

WHAT THE MEASURE DOES:

Amends Disorderly Conduct statute. Elevates offense classification for those who falsely report hazardous substance, fire, explosion, catastrophe, or other emergency in all public buildings and court facilities to a Class A Misdemeanor for first offense, to a Class C Felony for each subsequent offense.

ISSUES DISCUSSED:

Chair incorporated testimony from public hearing on Senate Bill 334

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Currently, ORS 166.025 defines Disorderly Conduct in the Second Degree, which makes it a Class B Misdemeanor to initiate a false report about a hazardous substance, fire, explosion, catastrophe, or other emergency. ORS 166.023 defines the elevated offense of Disorderly Conduct in the First Degree to an elevated offense if the location of the false report is a school. Disorderly Conduct in the First Degree is a Class A Misdemeanor for the first offense, and a Class C Felony for each subsequent offense.

On February 5, 2015, the Senate Committee on Judiciary held a public hearing on Senate Bill 334, which proposed increasing the offense classification when the proposed target of a false report was a court facility. The committee considered expanding the scope of the bill to all public buildings. However, the bill title precluded the amendment. Senate Bill 919 was drafted in response. The bill adds court facilities and all public buildings to locations where the false report becomes an elevated offense.