

**A-Engrossed**  
**Senate Bill 3**

Ordered by the Senate April 27  
Including Senate Amendments dated April 27

Sponsored by Senator COURTNEY; Senator MONNES ANDERSON (Presession filed.)

**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.

Creates crime of endangering person protected by Family Abuse Prevention Act restraining order. Punishes by maximum of **one year's imprisonment, \$6,250 fine, or both. Punishes by five years' imprisonment, \$125,000 fine, or both, if person convicted of crime has previous conviction for same crime or creates substantial risk of or fear of injury to victim.**

**A BILL FOR AN ACT**

1  
2 Relating to protective orders in Family Abuse Prevention Act proceedings.

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

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 163.160 to**  
5 **163.208.**

6 **SECTION 2. (1) A person commits the crime of endangering a person protected by a**  
7 **Family Abuse Prevention Act restraining order if the person:**

8 (a) **Has been served with the order as provided in ORS 107.718, unless service was waived**  
9 **under ORS 107.720 because the person appeared before the court;**

10 (b) **Intentionally engages in conduct prohibited by the order against a person protected**  
11 **by the order while the order is in effect; and**

12 (c)(A) **At the time of the prohibited conduct, has previously been found by a court to be**  
13 **in violation of the order for engaging in conduct prohibited by the order against the same**  
14 **person protected by the order; or**

15 (B) **By engaging in the prohibited conduct, recklessly creates a substantial risk of serious**  
16 **physical injury to the person protected by the order or intentionally attempts to place the**  
17 **person protected by the order in fear of imminent physical injury.**

18 (2)(a) **Except as provided in paragraph (b) of this subsection, endangering a person pro-**  
19 **ected by a Family Abuse Prevention Act restraining order as described in subsection**  
20 **(1)(c)(A) of this section is a Class A misdemeanor.**

21 (b) **Endangering a person protected by a Family Abuse Prevention Act restraining order**  
22 **as described in subsection (1)(c)(A) of this section is a Class C felony if the person has a**  
23 **previous conviction under this section.**

24 (c) **Endangering a person protected by a Family Abuse Prevention Act restraining order**  
25 **as described in subsection (1)(c)(B) of this section is a Class C felony.**

26 (3) **The Oregon Criminal Justice Commission shall classify the crime of endangering a**  
27 **person protected by a Family Abuse Prevention Act restraining order as a person Class A**

**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 **misdemeanor or a person felony, as applicable, under the rules of the commission.**

2 **(4) As used in this section, “previous conviction” means a conviction that was entered**  
3 **prior to imposing sentence on the current crime provided that the prior conviction is based**  
4 **on a crime committed in a separate criminal episode.**

5 **SECTION 3. Section 2 of this 2015 Act applies only to conduct occurring on or after the**  
6 **effective date of this 2015 Act.**

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