

Senate Bill 854

Sponsored by Senator KNOPP

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**.

Includes false statements made to legislative committee by certain persons in crime of unsworn falsification.

A BILL FOR AN ACT

1
2 Relating to unsworn falsification; amending ORS 162.055, 162.085 and 171.525.

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

4 **SECTION 1.** ORS 162.085 is amended to read:

5 162.085. (1) A person commits the crime of unsworn falsification if the person knowingly
6 makes:

7 (a) Any false written statement to a public servant in connection with an application for any
8 benefit[.]; **or**

9 (b) **Any false written or oral statement to a legislative committee and the person is:**

10 (A) **An elected official or a person in charge of a public agency; and**

11 (B) **Appearing as a witness before the legislative committee.**

12 (2) Unsworn falsification is a Class B misdemeanor.

13 **SECTION 2.** ORS 162.055 is amended to read:

14 162.055. As used in ORS 162.055 to 162.425 and 162.465, unless the context requires otherwise:

15 (1) "Benefit" means gain or advantage to the beneficiary or to a third person pursuant to the
16 desire or consent of the beneficiary.

17 (2) **"Elected official" means a person elected by popular vote or a person appointed to fill**
18 **a vacancy in an elective office.**

19 (3) **"Legislative committee" has the meaning given that term in ORS 171.530.**

20 [(2)] (4) "Material" means that which could have affected the course or outcome of any pro-
21 ceeding or transaction. Whether a false statement is "material" in a given factual situation is a
22 question of law.

23 (5) **"Person in charge" means a director, deputy director, chief executive officer or other**
24 **person authorized to make executive decisions concerning a public agency.**

25 (6) **"Public agency" means a commission, board, agency or other governmental or quasi-**
26 **governmental body.**

27 [(3)] (7) "Statement" means any representation of fact and includes a representation of opinion,
28 belief or other state of mind where the representation clearly relates to state of mind apart from
29 or in addition to any facts which are the subject of the representation.

30 [(4)] (8) "Sworn statement" means any statement that attests to the truth of what is stated and
31 that is knowingly given under any form of oath or affirmation or by declaration under penalty of

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 perjury as described in ORCP 1 E.

2 [(5)] (9) "Unsworn declaration" has the meaning given that term in ORS 194.805.

3 **SECTION 3.** ORS 171.525 is amended to read:

4 171.525. Any testimony given by a witness before any legislative committee shall not be used
5 against the witness in any criminal action or proceeding, nor shall any criminal action or proceeding
6 be brought against such witness on account of any testimony so given by the witness, except for
7 perjury **or unsworn falsification** committed before such committee.

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