

**PROPOSED AMENDMENTS TO
SENATE BILL 3**

1 Delete lines 6 through 16 of the printed bill and insert:

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

5 **“(a) Has been served with the order as provided in ORS 107.718,**
6 **unless service was waived under ORS 107.720 because the person ap-**
7 **peared before the court;**

8 **“(b) Intentionally engaged in conduct prohibited by the order**
9 **against a person protected by the order while the order was in effect;**
10 **and**

11 **“(c)(A) Has previously been found in violation of the order for en-**
12 **gaging in conduct prohibited by the order against the same person**
13 **protected by the order; or**

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

18 **“(2)(a) Except as provided in paragraph (b) of this subsection, en-**
19 **dangering a person protected by a Family Abuse Prevention Act re-**
20 **straining order as described in subsection (1)(c)(A) of this section is a**
21 **Class A misdemeanor.**

22 **“(b) Endangering a person protected by a Family Abuse Prevention**

1 **Act restraining order as described in subsection (1)(c)(A) of this sec-**
2 **tion is a Class C felony if the person has a previous conviction under**
3 **this section.**

4 **“(c) Endangering a person protected by a Family Abuse Prevention**
5 **Act restraining order as described in subsection (1)(c)(B) of this sec-**
6 **tion is a Class C felony.**

7 **“(3) The Oregon Criminal Justice Commission shall classify the**
8 **crime of endangering a person protected by a Family Abuse Prevention**
9 **Act restraining order as a person Class A misdemeanor or a person**
10 **felony, as applicable, under the rules of the commission.**

11 **“(4) As used in this section, ‘previous conviction’ means a con-**
12 **viction that was entered prior to imposing sentence on the current**
13 **crime provided that the prior conviction is based on a crime commit-**
14 **ted in a separate criminal episode.”.**

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