

**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 engages in conduct prohibited by the order**
9 **against a person protected by the order while the order is in effect;**
10 **and**

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

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

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

1 **“(b) Endangering a person protected by a Family Abuse Prevention**
2 **Act restraining order as described in subsection (1)(c)(A) of this sec-**
3 **tion is a Class C felony if the person has a previous conviction under**
4 **this section.**

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

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

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

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