

Requested by Senator THATCHER

**PROPOSED AMENDMENTS TO  
SENATE BILL 1553**

1 On page 1 of the printed bill, line 2, after “131.125” delete the rest of the  
2 line and insert “and 163.160.”.

3 On page 3, delete lines 42 through 45 and delete pages 4 through 8 and  
4 insert:

5 **“SECTION 2.** ORS 163.160 is amended to read:

6 “163.160. (1) A person commits the crime of assault in the fourth degree  
7 if the person:

8 “(a) Intentionally, knowingly or recklessly causes physical injury to an-  
9 other; [or]

10 “(b) With criminal negligence causes physical injury to another by means  
11 of a deadly weapon[.]; **or**

12 **“(c) With criminal negligence causes serious physical injury to an-**  
13 **other who is a vulnerable user of a public way, as defined in ORS**  
14 **801.608, by means of a motor vehicle.**

15 “(2) Assault in the fourth degree is a Class A misdemeanor.

16 “(3) Notwithstanding subsection (2) of this section, assault in the fourth  
17 degree is a Class C felony if the person commits the crime of assault in the  
18 fourth degree and:

19 “(a) The assault is committed in the immediate presence of, or is wit-  
20 nessed by, the person’s or the victim’s minor child or stepchild or a minor  
21 child residing within the household of the person or victim;

1       “(b) The person has been previously convicted of violating this section  
2 or ORS 163.165, 163.175, 163.185, 163.187 or 163.190, or of committing an  
3 equivalent crime in another jurisdiction, and the victim in the previous  
4 conviction is the same person who is the victim of the current crime;

5       “(c) The person has at least three previous convictions for violating this  
6 section or ORS 163.165, 163.175, 163.185, 163.187 or 163.190 or for committing  
7 an equivalent crime in another jurisdiction, in any combination; or

8       “(d) The person commits the assault knowing that the victim is pregnant.

9       “(4) For purposes of subsection (3) of this section, an assault is witnessed  
10 if the assault is seen or directly perceived in any other manner by the child.

11       **“SECTION 3. The amendments to ORS 131.125 by section 1 of this**  
12 **2016 Act apply to offenses committed before, on or after the effective**  
13 **date of this 2016 Act but do not operate to revive a prosecution barred**  
14 **by the operation of ORS 131.125 before the effective date of this 2016**  
15 **Act.”.**

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