

**HB 2721 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. McLain

**Joint Committee On Ways and Means**

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**Action Date:** 06/16/17

**Action:** Do pass with amendments. (Printed A-Eng.)

**House Vote**

**Yeas:** 11 - Gomberg, Holvey, Huffman, McLane, Nathanson, Rayfield, Smith G, Smith Warner, Stark, Whisnant, Williamson

**Senate Vote**

**Yeas:** 12 - DeBoer, Devlin, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, Roblan, Steiner Hayward, Thomsen, Winters

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** John Terpening, Fiscal Analyst

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**WHAT THE MEASURE DOES:**

Expands the crime of assault in the third degree to include physical injury to flaggers and highway workers performing official duties.

**ISSUES DISCUSSED:**

- Fiscal impact of the measure
- Importance of safety for road workers
- Amendment to remove Task Force

**EFFECT OF AMENDMENT:**

Removes Task Force on Road Worker Safety.

**BACKGROUND:**

There are four levels of assault in Oregon: Assault in the Fourth Degree, usually an A misdemeanor; Assault in the Third Degree, usually a C felony; Assault in the Second Degree, a B felony; and Assault in the First Degree, an A felony. Assault in the Fourth Degree is committed when a person intentionally, knowingly or recklessly causes physical injury to another. There are a variety of acts included in Assault in the Third Degree, such as intentionally, knowingly or recklessly causing physical injury, by means other than a motor vehicle, to the operator of a taxi while the operator is in control of the taxi. HB 2721 expands Assault in the Third Degree to include intentionally, knowingly or recklessly causing physical injury to a flagger or highway worker who is performing official duties. It also defines flagger and highway worker.