

# Senate Bill 257

Sponsored by Senator GELSER (Pre-session filed.)

## 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**.

Modifies crime of official misconduct in the first degree to include commission of official misconduct in the second degree when misconduct places another person in danger of physical injury or damages property of another. Punishes by maximum of one year's imprisonment, \$6,250 fine, or both.

## A BILL FOR AN ACT

1  
2 Relating to official misconduct; amending ORS 162.415.

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

4 **SECTION 1.** ORS 162.415 is amended to read:

5 162.415. (1) A public servant commits the crime of official misconduct in the first degree if:

6 (a) With intent to obtain a benefit or to harm another:

7 [(a)] (A) The public servant knowingly fails to perform a duty imposed upon the public servant  
8 by law or one clearly inherent in the nature of office; or

9 [(b)] (B) The public servant knowingly performs an act constituting an unauthorized exercise in  
10 official duties[.]; **or**

11 (b) **The public servant violates ORS 162.405 and the violation places another person in**  
12 **danger of physical injury or damages the property of another.**

13 (2) Official misconduct in the first degree is a Class A misdemeanor.  
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**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.