

# Senate Bill 260

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**.

Adds sex to list of characteristics of victim of crimes of intimidation in the second degree and intimidation in the first degree.

## A BILL FOR AN ACT

1  
2 Relating to victims of intimidation; amending ORS 166.155 and 166.165.

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

4 **SECTION 1.** ORS 166.155 is amended to read:

5 166.155. (1) A person commits the crime of intimidation in the second degree if the person:

6 (a) Tampers or interferes with property, having no right to do so nor reasonable ground to be-  
7 lieve that the person has such right, with the intent to cause substantial inconvenience to another  
8 because of the person's perception of the other's race, color, religion, sexual orientation, **sex**, disa-  
9 bility or national origin;

10 (b) Intentionally subjects another to offensive physical contact because of the person's percep-  
11 tion of the other's race, color, religion, sexual orientation, **sex**, disability or national origin; or

12 (c) Intentionally, because of the person's perception of race, color, religion, sexual orientation,  
13 **sex**, disability or national origin of another or of a member of the other's family, subjects the other  
14 person to alarm by threatening:

15 (A) To inflict serious physical injury upon or to commit a felony affecting the other person, or  
16 a member of the person's family; or

17 (B) To cause substantial damage to the property of the other person or of a member of the other  
18 person's family.

19 (2) Intimidation in the second degree is a Class A misdemeanor.

20 (3) For purposes of this section, "property" means any tangible personal property or real prop-  
21 erty.

22 **SECTION 2.** ORS 166.165 is amended to read:

23 166.165. (1) Two or more persons acting together commit the crime of intimidation in the first  
24 degree, if the persons:

25 (a)(A) Intentionally, knowingly or recklessly cause physical injury to another person because of  
26 the actors' perception of that person's race, color, religion, sexual orientation, **sex**, disability or  
27 national origin; or

28 (B) With criminal negligence cause physical injury to another person by means of a deadly  
29 weapon because of the actors' perception of that person's race, color, religion, sexual orientation,  
30 **sex**, disability or national origin;

31 (b) Intentionally, because of the actors' perception of another person's race, color, religion,

**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.

1 sexual orientation, **sex**, disability or national origin, place another person in fear of imminent seri-  
2 ous physical injury; or

3 (c) Commit such acts as would constitute the crime of intimidation in the second degree, if  
4 undertaken by one person acting alone.

5 (2) Intimidation in the first degree is a Class C felony.

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