

A-Engrossed
Senate Bill 323

Ordered by the Senate April 4
Including Senate Amendments dated April 4

Sponsored by Senator OLSEN (Presession 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.

[Provides that person commits crime of arson] **Creates crime of arson incident to the manufacture of a controlled substance** in the second degree if person manufactures controlled substance and causes fire or explosion that damages building or damages property in amount exceeding \$750. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both.

[Provides that person commits crime of arson] **Creates crime of arson incident to the manufacture of a controlled substance** in the first degree if person manufactures controlled substance and causes fire or explosion that damages protected property or damages property and creates risk to persons or protected property. Punishes by maximum of 20 years' imprisonment, \$375,000 fine, or both.

A BILL FOR AN ACT

Relating to arson caused by the manufacture of controlled substances.

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

SECTION 1. Sections 2 and 3 of this 2017 Act are added to and made a part of ORS 164.305 to 164.377.

SECTION 2. (1) A person commits the crime of arson incident to the manufacture of a controlled substance in the second degree if, by knowingly engaging in the manufacture of a controlled substance, the person causes a fire or causes an explosion that damages:

(a) Any building of another that is not protected property; or

(b) Any property of another and the damages to the property exceed \$750.

(2) Arson incident to the manufacture of a controlled substance in the second degree is a Class C felony.

(3) As used in this section and section 3 of this 2017 Act, "controlled substance" and "manufacture" have the meanings given those terms in ORS 475.005.

SECTION 3. (1) A person commits the crime of arson incident to the manufacture of a controlled substance in the first degree if, by knowingly engaging in the manufacture of a controlled substance, the person causes a fire or causes an explosion that damages:

(a) The protected property of another;

(b) Any property, whether the property of the person or the property of another person, if the fire or explosion recklessly places another person in danger of physical injury or protected property of another in danger of damage; or

(c) Any property, whether the property of the person or the property of another person, if the fire or explosion recklessly causes serious physical injury to a firefighter or peace officer acting in the line of duty relating to the fire or explosion.

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.

