

Senate Bill 323

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 **as introduced**.

Provides that person commits crime of arson 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 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

1
2 Relating to arson caused by the manufacture of controlled substances; creating new provisions; and
3 amending ORS 164.315 and 164.325.

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

5 **SECTION 1.** ORS 164.315 is amended to read:

6 164.315. (1) A person commits the crime of arson in the second degree if:

7 (a) By starting a fire or causing an explosion, the person intentionally damages:

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

9 (B) Any property of another and the damages to the property exceed \$750; or

10 (b) By knowingly engaging in the manufacture of [*methamphetamine*] **a controlled substance**,
11 the person causes fire or causes an explosion that damages property described in paragraph (a) of
12 this subsection.

13 (2) Arson in the second degree is a Class C felony.

14 **(3) As used in this section, "controlled substance" and "manufacture" have the meanings**
15 **given those terms in ORS 475.005.**

16 **SECTION 2.** ORS 164.325 is amended to read:

17 164.325. (1) A person commits the crime of arson in the first degree if:

18 (a) By starting a fire or causing an explosion, the person intentionally damages:

19 (A) Protected property of another;

20 (B) Any property, whether the property of the person or the property of another person, and
21 such act recklessly places another person in danger of physical injury or protected property of an-
22 other in danger of damage; or

23 (C) Any property, whether the property of the person or the property of another person, and
24 recklessly causes serious physical injury to a firefighter or peace officer acting in the line of duty
25 relating to the fire; or

26 (b) By knowingly engaging in the manufacture of [*methamphetamine*] **a controlled substance**,
27 the person causes fire or causes an explosion that damages property described in paragraph (a) of
28 this subsection.

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 (2) Arson in the first degree is a Class A felony.

2 (3) **As used in this section, “controlled substance” and “manufacture” have the meanings**
3 **given those terms in ORS 475.005.**

4 **SECTION 3. The amendments to ORS 164.315 and 164.325 by sections 1 and 2 of this 2017**
5 **Act apply to crimes committed on or after the effective date of this 2017 Act.**

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