

## SENATE AMENDMENTS TO SENATE BILL 323

By COMMITTEE ON JUDICIARY

April 4

1 On page 1 of the printed bill, line 2, after “substances” insert a period and delete the rest of the  
2 line and line 3.

3 Delete lines 5 through 28 and delete page 2 and insert:

4 **“SECTION 1. Sections 2 and 3 of this 2017 Act are added to and made a part of ORS**  
5 **164.305 to 164.377.**

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

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

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

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

13 **“(3) As used in this section and section 3 of this 2017 Act, ‘controlled substance’ and**  
14 **‘manufacture’ have the meanings given those terms in ORS 475.005.**

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

18 **“(a) The protected property of another;**

19 **“(b) Any property, whether the property of the person or the property of another person,**  
20 **if the fire or explosion recklessly places another person in danger of physical injury or pro-**  
21 **ected property of another in danger of damage; or**

22 **“(c) Any property, whether the property of the person or the property of another person,**  
23 **if the fire or explosion recklessly causes serious physical injury to a firefighter or peace of-**  
24 **ficer acting in the line of duty relating to the fire or explosion.**

25 **“(2) Arson incident to the manufacture of a controlled substance in the first degree is a**  
26 **Class A felony.”**

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