

SENATE AMENDMENTS TO SENATE BILL 356

By COMMITTEE ON JUDICIARY

April 19

1 On page 1 of the printed bill, delete lines 19 through 25.

2 In line 26, restore "(2)" and delete "(3)".

3 After line 26, insert:

4 "(3) If a prosecuting attorney determines that an act is a crime constituting domestic violence
5 as defined in ORS 135.230, the prosecuting attorney may not charge the same act as a violation of
6 this section."

7 On page 2, line 9, delete the second "or".

8 After line 9, insert:

9 "(c) Intentionally, knowingly or recklessly causes physical injury to another person because of
10 the person's perception of the other person's race, color, religion, ethnicity, gender, sexual orien-
11 tation, disability or national origin;

12 "(d) With criminal negligence causes physical injury to another person by means of a deadly
13 weapon because of the person's perception of the other person's race, color, religion, ethnicity,
14 gender, sexual orientation, disability or national origin; or".

15 In line 10, delete "(c)" and insert "(e)".

16 In line 17, after the period insert "Upon conviction for a bias crime in the second degree under
17 this section, a person shall be sentenced to a mandatory minimum term of incarceration of 10 days,
18 without reduction for any reason."

19 After line 19, insert:

20 "(4) If a prosecuting attorney determines that an act is a crime constituting domestic violence
21 as defined in ORS 135.230, the prosecuting attorney may not charge the same act as a violation of
22 this section."

23 On page 3, lines 38 through 42, delete the boldfaced material and restore the bracketed material.
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