

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
SENATE BILL 356**

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 consti-
5 tuting domestic violence as defined in ORS 135.230, the prosecuting attorney
6 may not charge the same act as a violation of 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 an-
10 other person because of the person’s perception of the other person’s race,
11 color, religion, ethnicity, gender, sexual orientation, disability or national
12 origin;

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

17 In line 10, delete “(c)” and insert “(e)”.

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

1 After line 19, insert:

2 “(4) If a prosecuting attorney determines that an act is a crime consti-
3 tuting domestic violence as defined in ORS 135.230, the prosecuting attorney
4 may not charge the same act as a violation of this section.”

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

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