

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO  
SENATE BILL 64**

1 On page 1 of the printed bill, line 2, after the semicolon delete the rest  
2 of the line and delete lines 3 through 5 and insert “creating new provisions;  
3 and amending ORS 161.295.”.

4 Delete lines 7 through 27 and delete pages 2 through 28 and insert:

5 **“SECTION 1.** ORS 161.295 is amended to read:

6 “161.295. (1) A person is guilty except for insanity if, as a result of mental  
7 disease or defect at the time of engaging in criminal conduct, the person  
8 lacks substantial capacity either to appreciate the criminality of the conduct  
9 or to conform the conduct to the requirements of law.

10 “(2) As used in chapter 743, Oregon Laws 1971, [*the terms*] ‘mental disease  
11 or defect’ [*do*] **does** not include an abnormality:

12 “(a) Manifested only by repeated criminal or otherwise antisocial  
13 conduct[, *nor do they include any abnormality constituting solely a personality*  
14 *disorder.*]; **or**

15 **“(b) Consisting solely of:**

16 **“(A) A personality, paraphilic, addictive or substance use disorder;**  
17 **or**

18 **“(B) Substance intoxication or withdrawal.**

19 **“SECTION 2.** The amendments to ORS 161.295 by section 1 of this  
20 **2017 Act apply to conduct occurring on or after the effective date of**  
21 **this 2017 Act.”.**

