SENATE AMENDMENTS TO
SENATE BILL 1013
By COMMITTEE ON JUDICIARY
May 17

On page 1 of the printed bill, line 3, after “161.005,” insert “161.405,”.

Delete lines 7 through 28.

On page 2, delete lines 1 through 20 and insert:

"SECTION 1. ORS 163.095 is amended to read:

"163.095. As used in ORS 163.105 and this section, ‘aggravated murder’ means [murder as defined in ORS 163.115 which]:

“(1) Criminal homicide of two or more persons that is premeditated and committed intentionally [under, or accompanied by, any of the following circumstances] and with the intent to:

“(a) Intimidate, injure or coerce a civilian population;

“(b) Influence the policy of a government by intimidation or coercion; or

“(c) Affect the conduct of a government through destruction of property, murder, kidnapping or aircraft piracy; or

“(2) Murder in the second degree, as defined in ORS 163.115, that is:

“(a)(A) Committed while the defendant was confined in a state, county or municipal penal or correctional facility or was otherwise in custody; and

“(B) Committed after the defendant was previously convicted in any jurisdiction of any homicide, the elements of which constitute the crime of aggravated murder under this section or murder in the first degree under section 3 of this 2019 Act; or

“(b) Premeditated and committed intentionally against a person under 14 years of age.

“[(1)(a) The defendant committed the murder pursuant to an agreement that the defendant receive money or other thing of value for committing the murder.]

“[(b) The defendant solicited another to commit the murder and paid or agreed to pay the person money or other thing of value for committing the murder.]

“[(c) The defendant committed murder after having been convicted previously in any jurisdiction of any homicide, the elements of which constitute the crime of murder as defined in ORS 163.115 or manslaughter in the first degree as defined in ORS 163.118.]

“[(d) There was more than one murder victim in the same criminal episode as defined in ORS 131.505.]

“[(e) The homicide occurred in the course of or as a result of intentional maiming or torture of the victim.]

“[(f) The victim of the intentional homicide was a person under the age of 14 years.]

“(2)(a) The victim was one of the following and the murder was related to the performance of the victim’s official duties in the justice system:]

“[(A) A police officer as defined in ORS 181A.355;]

“[(B) A correctional, parole and probation officer or other person charged with the duty of custody,
control or supervision of convicted persons;]
"{(C) A member of the Oregon State Police;}
"{(D) A judicial officer as defined in ORS 1.210;}
"{(E) A juror or witness in a criminal proceeding;}
"{(F) An employee or officer of a court of justice;}
"{(G) A member of the State Board of Parole and Post-Prison Supervision; or]
"{(H) A regulatory specialist.}
"{(b) The defendant was confined in a state, county or municipal penal or correctional facility or
was otherwise in custody when the murder occurred.]
"{(c) The defendant committed murder by means of an explosive as defined in ORS 164.055.]
"{(d) Notwithstanding ORS 163.115 (1)(b), the defendant personally and intentionally committed the
homicide under the circumstances set forth in ORS 163.115 (1)(b).]
"{(e) The murder was committed in an effort to conceal the commission of a crime, or to conceal
the identity of the perpetrator of a crime.]
"{(f) The murder was committed after the defendant had escaped from a state, county or municipal
penal or correctional facility and before the defendant had been returned to the custody of the
facility.]."

On page 20, after line 5, insert:

"SECTION 15a. ORS 161.405 is amended to read:
"161.405. (1) A person is guilty of an attempt to commit a crime
when the person intentionally
engages in conduct which constitutes a substantial step toward commission of the crime.
"(2) An attempt is a:
"(a) Class A felony if the offense attempted is any degree of murder, aggravated murder or
treason.
"(b) Class B felony if the offense attempted is a Class A felony.
"(c) Class C felony if the offense attempted is a Class B felony.
"(d) Class A misdemeanor if the offense attempted is a Class C felony or an unclassified felony.
"(e) Class B misdemeanor if the offense attempted is a Class A misdemeanor.
"(f) Class C misdemeanor if the offense attempted is a Class B misdemeanor.
"(g) Violation if the offense attempted is a Class C misdemeanor or an unclassified
misdemeanor.”.

On page 31, line 28, after “161.005,” insert “161.405.”. 