

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
SENATE BILL 1013**

1 On page 1 of the printed bill, delete lines 7 through 28.

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

3 **“SECTION 1.** ORS 163.095 is amended to read:

4 “163.095. As used in ORS 163.105 and this section, ‘aggravated murder’
5 means [*murder as defined in ORS 163.115 which*]:

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

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

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

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

14 **“(2) Murder in the second degree, as defined in ORS 163.115, com-**
15 **mitted:**

16 **“(a) While the defendant was confined in a state, county or mu-**
17 **nicipal penal or correctional facility or was otherwise in custody; and**

18 **“(b) After the defendant was previously convicted in any jurisdic-**
19 **tion of any homicide, the elements of which constitute the crime of**
20 **aggravated murder under this section or murder in the first degree**
21 **under section 3 of this 2019 Act.**

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

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

7 “[(c) *The defendant committed murder after having been convicted previ-*
8 *ously in any jurisdiction of any homicide, the elements of which constitute the*
9 *crime of murder as defined in ORS 163.115 or manslaughter in the first degree*
10 *as defined in ORS 163.118.*]

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

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

15 “[(f) *The victim of the intentional homicide was a person under the age of*
16 *14 years.*]

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

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

20 “[(B) *A correctional, parole and probation officer or other person charged*
21 *with the duty of custody, control or supervision of convicted persons;*]

22 “[(C) *A member of the Oregon State Police;*]

23 “[(D) *A judicial officer as defined in ORS 1.210;*]

24 “[(E) *A juror or witness in a criminal proceeding;*]

25 “[(F) *An employee or officer of a court of justice;*]

26 “[(G) *A member of the State Board of Parole and Post-Prison Supervision;*
27 *or*]

28 “[(H) *A regulatory specialist.*]

29 “[(b) *The defendant was confined in a state, county or municipal penal or*
30 *correctional facility or was otherwise in custody when the murder occurred.*]

1 “[c] *The defendant committed murder by means of an explosive as defined*
2 *in ORS 164.055.*]

3 “[d] *Notwithstanding ORS 163.115 (1)(b), the defendant personally and*
4 *intentionally committed the homicide under the circumstances set forth in ORS*
5 *163.115 (1)(b).*]

6 “[e] *The murder was committed in an effort to conceal the commission of*
7 *a crime, or to conceal the identity of the perpetrator of a crime.*]

8 “[f] *The murder was committed after the defendant had escaped from a*
9 *state, county or municipal penal or correctional facility and before the de-*
10 *fendant had been returned to the custody of the facility.*”].

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