

## HOUSE AMENDMENTS TO HOUSE BILL 4208

By JOINT COMMITTEE ON THE FIRST SPECIAL SESSION OF 2020

June 26

1 Delete lines 4 through 11 of the printed bill and insert:

2 **“SECTION 1. (1) As used in this section:**

3 **“(a) ‘Law enforcement agency’ means the Department of State Police, the Department**  
4 **of Justice, a district attorney, a political subdivision of the State of Oregon, a municipal**  
5 **corporation of the State of Oregon and a university, that maintains a law enforcement unit**  
6 **as defined in ORS 181A.355 (12)(a)(A).**

7 **“(b) ‘Tear gas’ means oleoresin capsicum or orthochlorobenzalmalononitrile, or other**  
8 **similar chemicals meant to accomplish the same effect, administered by any shell, cartridge**  
9 **or bomb capable of being discharged or exploded, when the discharge or explosion will cause**  
10 **or permit the release or emission of the chemicals.**

11 **“(2) A law enforcement agency may not use tear gas for the purposes of crowd control**  
12 **except in circumstances constituting a riot, as described in ORS 166.015.**

13 **“(3) Before using tear gas in circumstances constituting a riot, a law enforcement agency**  
14 **shall, in the following order:**

15 **“(a) Announce the agency’s intent to use tear gas;**

16 **“(b) Allow sufficient time for individuals to evacuate the area; and**

17 **“(c) Announce for a second time, immediately before using the tear gas, the agency’s**  
18 **intent to use tear gas.**

19 **“SECTION 2. This 2020 special session Act being necessary for the immediate preserva-**  
20 **tion of the public peace, health and safety, an emergency is declared to exist, and this 2020**  
21 **special session Act takes effect on its passage.”.**

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