

Requested by JOINT COMMITTEE ON THE FIRST SPECIAL SESSION OF 2020 (at the request of
People of Color Caucus)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4208**

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” has the meaning given that term**
4 **in ORS 181A.775.**

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

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

13 **“(3) Before using tear gas in circumstances constituting a riot, a**
14 **law enforcement agency 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 the agency’s intent to use tear gas.**

18 **“SECTION 2. This 2021 Act being necessary for the immediate**
19 **preservation of the public peace, health and safety, an emergency is**
20 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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