

HB 4208-2
(LC 81)
6/24/20 (MNJ/ps)

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’ means the Department of State Po-**
4 **lice, the Department of Justice, a district attorney, a political subdi-**
5 **vision of the State of Oregon, a municipal corporation of the State of**
6 **Oregon and a university, that maintains a law enforcement unit as**
7 **defined in ORS 181A.355 (12)(a)(A).**

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

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

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

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

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

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

1 **SECTION 2. This 2020 special session Act being necessary for the**
2 **immediate preservation of the public peace, health and safety, an**
3 **emergency is declared to exist, and this 2020 special session Act takes**
4 **effect on its passage.”.**

5
