

**SB 217 STAFF MEASURE SUMMARY**

**Senate Committee On Judiciary and Ballot Measure 110  
Implementation**

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**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 2/1

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**WHAT THE MEASURE DOES:**

States that a “statutory counterpart,” used as an element of a criminal offense or to increase an offense classification, means a statute establishing a crime in another jurisdiction that has the same use, role, or characteristics as an identified Oregon statute.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

The Oregon Criminal and Vehicle Code provide for increases in criminal sentences or offense classification for previous convictions for Oregon offense or convictions from other jurisdictions if it is for a “comparable offense” or an “equivalent crime.” Oregon case law has established that “comparable offenses” refers to offenses with elements that are the same as or nearly the same as the elements of the Oregon equivalent, not to offenses that merely share a core similarity with such an offense.

SB 217 would define statutory counterpart to replace references to comparable offenses in the Oregon Criminal and Vehicle Code.