

Senate Bill 399

Sponsored by Senator PROZANSKI (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Provides that refusal to obey lawful order issued by peace officer or parole and probation officer does not constitute crime of interfering with a peace officer or parole and probation officer unless order is to move back and keep distance while officer is performing lawful duties.

A BILL FOR AN ACT

1
2 Relating to the crime of interfering with a peace officer or parole and probation officer; amending
3 ORS 162.247.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 162.247 is amended to read:

6 162.247. (1) A person commits the crime of interfering with a peace officer or parole and pro-
7 bation officer if the person, knowing that another person is a peace officer or a parole and probation
8 officer as defined in ORS 181A.355:

9 (a) Intentionally acts in a manner that prevents, or attempts to prevent, a peace officer or parole
10 and probation officer from performing the lawful duties of the officer with regards to another person;
11 or

12 (b) Refuses to obey a lawful order, **issued** by the peace officer or parole and probation officer,
13 **to move back and keep a safe distance from the officer while the officer is conducting an**
14 **investigation, issuing or serving a citation to another person or performing other lawful du-**
15 **ties.**

16 (2) Interfering with a peace officer or parole and probation officer is a Class A misdemeanor.

17 (3) This section does not apply in situations in which the person is engaging in:

18 (a) Activity that would constitute resisting arrest under ORS 162.315; or

19 (b) Passive resistance.
20

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.