

SENATE AMENDMENTS TO SENATE BILL 565

By COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

April 12

1 In line 2 of the printed bill, after “112.455” insert “and 112.555”.

2 Delete lines 4 through 19 and insert:

3 “**SECTION 1.** ORS 112.455 is amended to read:

4 “112.455. As used in ORS 112.455 to 112.555:

5 “(1) ‘Abuser’ means a person who is convicted of a felony by reason of conduct that constitutes
6 physical abuse as described in ORS 124.105 or financial abuse as described in ORS 124.110.

7 “(2) ‘Decedent’ means:

8 “(a) A person whose life is taken by a slayer; or

9 “(b) A person whose date of death is not later than five years after an abuser is convicted of
10 a felony by reason of conduct against the person that constitutes physical abuse as described in ORS
11 124.105 or financial abuse as described in ORS 124.110.

12 “(3) ‘Slayer’ means a person who[,]:

13 “(a) With felonious intent, takes or procures the taking of [*the life of a decedent*] **a person’s life;**

14 “(b) **Is found guilty except for insanity of taking a person’s life; or**

15 “(c) **Is found responsible except for insanity of taking a person’s life.**

16 “**SECTION 2.** ORS 112.555 is amended to read:

17 “112.555. (1) After any right to appeal has been exhausted, a final judgment of conviction of
18 felonious and intentional killing is conclusive for purposes of ORS 112.455 to 112.555. In the absence
19 of a conviction of felonious and intentional killing the court may determine by a preponderance of
20 evidence whether the killing was felonious and intentional for purposes of ORS 112.455 to 112.555.

21 “(2) **After any right to appeal has been exhausted, a final judgment finding a defendant**
22 **guilty except for insanity under ORS 161.295 or a final order finding a youth responsible ex-**
23 **cept for insanity under ORS 419C.411 is conclusive for purposes of ORS 112.455 to 112.555.**

24 “**SECTION 3.** **This 2021 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
26 **on its passage.”**

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