

SENATE AMENDMENTS TO SENATE BILL 808

By COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

April 29

1 In line 2 of the printed bill, after the semicolon insert “amending ORS 133.005;”.

2 Delete lines 4 through 10 and insert:

3 “**SECTION 1.** ORS 133.005 is amended to read:

4 “133.005. As used in ORS 133.005 to 133.400 and 133.410 to 133.450, unless the context requires
5 otherwise:

6 “(1) ‘Arrest’ means to place a person under actual or constructive restraint or to take a person
7 into custody for the purpose of charging that person with an offense. A ‘stop’ as authorized under
8 ORS 131.605 to 131.625 is not an arrest.

9 “(2) ‘Federal officer’ means a special agent or law enforcement officer employed by a federal
10 agency who is empowered to effect an arrest with or without a warrant for violations of the United
11 States Code and who is authorized to carry firearms in the performance of duty.

12 “(3) ‘Peace officer’ means:

13 “(a) A member of the Oregon State Police;

14 “(b) A sheriff, constable, marshal, municipal police officer or reserve officer or a police officer
15 commissioned by a university under ORS 352.121 or 353.125;

16 “(c) An investigator of a district attorney’s office if the investigator is or has been certified as
17 a peace officer in this or any other state;

18 “(d) An investigator of the Criminal Justice Division of the Department of Justice of the State
19 of Oregon;

20 “(e) A humane special agent as defined in ORS 181A.345;

21 “(f) A regulatory specialist exercising authority described in ORS 471.775 (2), **475B.025 or**
22 **475B.299;**

23 “(g) An authorized tribal police officer as defined in ORS 181A.680; or

24 “(h) A judicial marshal appointed under ORS 1.177 who is trained pursuant to ORS 181A.540.

25 “(4) ‘Reserve officer’ means an officer or member of a law enforcement agency who is:

26 “(a) A volunteer or employed less than full-time as a peace officer commissioned by a city, port,
27 school district, mass transit district, county, county service district authorized to provide law
28 enforcement services under ORS 451.010, the Criminal Justice Division of the Department of Justice,
29 the Oregon State Lottery Commission or the Governor or a member of the Department of State
30 Police;

31 “(b) Armed with a firearm; and

32 “(c) Responsible for enforcing the criminal laws and traffic laws of this state or laws or ordi-
33 nances relating to airport security.

34 “**SECTION 2.** This 2021 Act being necessary for the immediate preservation of the public
35 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect

1 **on its passage.”**

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