

SB 565-1
(LC 2227)
3/22/21 (LAS/ps)

Requested by SENATE COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

**PROPOSED AMENDMENTS TO
SENATE BILL 565**

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
6 conduct that constitutes physical abuse as described in ORS 124.105 or fi-
7 nancial abuse as described in ORS 124.110.

8 “(2) ‘Decedent’ means:

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

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

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

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

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

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

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

21 “112.555. (1) After any right to appeal has been exhausted, a final judg-

1 ment of conviction of felonious and intentional killing is conclusive for
2 purposes of ORS 112.455 to 112.555. In the absence of a conviction of
3 felonious and intentional killing the court may determine by a preponderance
4 of evidence whether the killing was felonious and intentional for purposes
5 of ORS 112.455 to 112.555.

6 **“(2) After any right to appeal has been exhausted, a final judgment**
7 **finding a defendant guilty except for insanity under ORS 161.295 or a**
8 **final order finding a youth responsible except for insanity under ORS**
9 **419C.411 is conclusive for purposes of ORS 112.455 to 112.555.**

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

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