

Requested by Senator THATCHER

**PROPOSED AMENDMENTS TO
SENATE BILL 399**

1 Delete lines 5 through 19 of the printed bill and insert:

2 **“SECTION 1.** ORS 162.247 is amended to read:

3 “162.247. (1) A person commits the crime of interfering with a peace offi-
4 cer or parole and probation officer if the person, knowing that another per-
5 son is a peace officer or a parole and probation officer as defined in ORS
6 181A.355:

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

10 “(b) Refuses to obey a lawful order by the peace officer or parole and
11 probation officer **that is necessary for the officer’s performance of law-**
12 **ful duties with regard to another person or an investigation into an**
13 **offense as defined in ORS 161.505.**

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

16 “(3) This section does not apply in situations in which the person is en-
17 gaging in[:]

18 “[*(a)* Activity that would constitute resisting arrest under ORS 162.315;
19 or]

20 “[*(b)*] passive resistance.

21 **“(4) A person may not be arrested or charged under this section if**

1 **the person is arrested or charged for another offense based on the**
2 **same conduct.”.**

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