

SB 808-2  
(LC 985)  
3/31/21 (SCT/ps)

Requested by SENATE COMMITTEE ON JUDICIARY AND BALLOT MEASURE 110 IMPLEMENTATION

**PROPOSED AMENDMENTS TO  
SENATE BILL 808**

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

3 Delete lines 4 through 10 and insert:

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

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

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

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

15 “(3) ‘Peace officer’ means:

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

17 “(b) A sheriff, constable, marshal, municipal police officer or reserve of-  
18 ficer or a police officer commissioned by a university under ORS 352.121 or  
19 353.125;

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

1 “(d) An investigator of the Criminal Justice Division of the Department  
2 of Justice of the State of Oregon;

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

4 “(f) A regulatory specialist exercising authority described in ORS 471.775  
5 (2), **475B.025 or 475B.299**;

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

7 “(h) A judicial marshal appointed under ORS 1.177 who is trained pursu-  
8 ant to ORS 181A.540.

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

11 “(a) A volunteer or employed less than full-time as a peace officer com-  
12 missioned by a city, port, school district, mass transit district, county,  
13 county service district authorized to provide law enforcement services under  
14 ORS 451.010, the Criminal Justice Division of the Department of Justice, the  
15 Oregon State Lottery Commission or the Governor or a member of the De-  
16 partment of State Police;

17 “(b) Armed with a firearm; and

18 “(c) Responsible for enforcing the criminal laws and traffic laws of this  
19 state or laws or ordinances relating to airport security.

20 **“SECTION 2. This 2021 Act being necessary for the immediate**  
21 **preservation of the public peace, health and safety, an emergency is**  
22 **declared to exist, and this 2021 Act takes effect on its passage.”.**

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