

HB 4142-3  
(LC 216)  
2/1/22 (JLM/ps)

Requested by Representative BOSHART DAVIS

**PROPOSED AMENDMENTS TO  
HOUSE BILL 4142**

1 On page 1 of the printed bill, line 2, after “ORS” insert “131.315 and”.

2 On page 2, delete lines 22 through 26 and insert:

3 **“SECTION 2. ORS 131.315 is amended to read:**

4 “131.315. (1) If conduct constituting elements of an offense or results  
5 constituting elements of an offense occur in two or more counties, trial of  
6 the offense may be held in any of the counties concerned.

7 “(2) If a cause of death is inflicted on a person in one county and the  
8 person dies therefrom in another county, trial of the offense may be held in  
9 either county.

10 “(3) If the commission of an offense commenced outside this state is con-  
11 summated within this state, trial of the offense shall be held in the county  
12 in which the offense is consummated or the interest protected by the crimi-  
13 nal statute in question is impaired.

14 “(4) If an offense is committed on any body of water located in, or adja-  
15 cent to, two or more counties or forming the boundary between two or more  
16 counties, trial of the offense may be held in any nearby county bordering on  
17 the body of water.

18 “(5) If an offense is committed in or upon any railroad car, vehicle, air-  
19 craft, boat or other conveyance in transit and it cannot readily be deter-  
20 mined in which county the offense was committed, trial of the offense may  
21 be held in any county through or over which the conveyance passed.

1       “(6) If an offense is committed on the boundary of two or more counties  
2 or within one mile thereof, trial of the offense may be held in any of the  
3 counties concerned.

4       “(7) A person who commits theft, burglary or robbery may be tried in any  
5 county in which the person exerts control over the property that is the  
6 subject of the crime.

7       “(8) If the offense is an attempt or solicitation to commit a crime, trial  
8 of the offense may be held in any county in which any act that is an element  
9 of the offense is committed.

10       “(9) If the offense is criminal conspiracy, trial of the offense may be held  
11 in any county in which any act or agreement that is an element of the of-  
12 fense occurs.

13       “(10) A person who in one county commits an inchoate offense that re-  
14 sults in the commission of an offense by another person in another county,  
15 or who commits the crime of hindering prosecution of the principal offense,  
16 may be tried in either county.

17       “(11) A criminal nonsupport action may be tried in any county in which  
18 the dependent child is found, irrespective of the domicile of the parent,  
19 guardian or other person lawfully charged with support of the child.

20       “(12) If the offense is theft, forgery or identity theft and the offense con-  
21 sists of an aggregate transaction involving more than one county, trial of the  
22 offense may be held in any county in which one of the acts of theft, forgery  
23 or identity theft was committed.

24       “(13) When a prosecution is for violation of the Oregon Securities Law,  
25 the trial of the offense may be held in the county in which:

26       “(a) The offer to purchase or sell securities took place or where the sale  
27 or purchase of securities took place; or

28       “(b) Any act that is an element of the offense occurred.

29       “(14) When a prosecution under ORS 165.692 and 165.990 or 411.675 and  
30 411.990 (2) and (3) involves Medicaid funds, the trial of the offense may be

1 held in the county in which the claim was submitted for payment or in the  
2 county in which the claim was paid.

3 “(15)(a) If the offense is stalking under ORS 163.732 and involves contacts  
4 as defined in ORS 163.730 in more than one county, trial of the offense may  
5 be held in any county in which a contact occurred.

6 “(b) If the offense is violating a court’s stalking protective order under  
7 ORS 163.750, trial of the offense may be held in the county in which the  
8 defendant engaged in conduct prohibited by the order or in the county in  
9 which the order was issued.

10 **“(16) If the offense is assault in the third degree under ORS 163.165  
11 (1)(i) and the defendant’s presence in the hospital was related to a  
12 court order issued under ORS 137.767, 137.769, 161.290 to 161.373 or  
13 419C.529 to 419C.544, trial of the offense shall be held in the county in  
14 which the court that issued the order is located.**

15 **“SECTION 3. The amendments to ORS 131.315 and 163.165 by  
16 sections 1 and 2 of this 2022 Act apply to conduct occurring on or after  
17 the effective date of this 2022 Act.**

18 **“SECTION 4. This 2022 Act being necessary for the immediate  
19 preservation of the public peace, health and safety, an emergency is  
20 declared to exist, and this 2022 Act takes effect on its passage.”.**

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