

HB 2772 A STAFF MEASURE SUMMARY

House Committee On Judiciary

Action Date: 04/03/23

Action: Do pass with amendments and be referred to Ways and Means by prior reference.
(Printed A-Eng.)

Vote: 8-1-1-0

Yeas: 8 - Andersen, Bynum, Conrad, Kropf, Lewis, Morgan, Reynolds, Wallan

Nays: 1 - Chaichi

Exc: 1 - Tran

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

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Meeting Dates: 2/8, 4/3

WHAT THE MEASURE DOES:

Creates crime of domestic terrorism. Defines relevant terms. Specifies that crime of domestic terrorism in the first degree is a Class B felony and is committed if a person intentionally destroys or substantially damages critical infrastructure, or intentionally introduces, releases or disperses a toxic substance into widespread contact with humans. Specifies that domestic terrorism in the second degree is a Class C felony and is committed if a person intentionally possesses a toxic substance with the intent to introduce it into widespread contact with humans, intentionally possesses a destructive device with the intent to destroy or substantially damage critical infrastructure, or intentionally attempts to engage in conduct that would constitute domestic terrorism in the first degree. Makes conforming amendments.

ISSUES DISCUSSED:

- Narrow definitions in the measure
- Whether "domestic terrorism" is correct label
- Scenarios covered and not covered by measure
- Comparison to Georgia's domestic terrorism law

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

According to an Advisory Report released by the Oregon Secretary of State and Oregon Audits Division in March 2022, Oregon ranked sixth in the nation for the number of domestic violent extremist incidents between 2011 and 2020, with the number rising precipitously between 2019 and 2021. The U.S. Department of Justice is the governing entity that most often brings domestic terrorism and violent extremism charges against individuals. However, several states also have legislation defining and criminalizing such activity.

Oregon does not currently define or criminalize domestic terrorism or violent extremism. House Bill 2772 A creates the crime of domestic terrorism in the first and second degree.