House Bill 2935

Sponsored by Representative MORGAN; Representatives EVANS, HIEB, WRIGHT, Senator THATCHER (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Modifies definition of “property” for purposes of arson and reckless burning crimes.
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to property crimes; creating new provisions; amending ORS 164.305; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 164.305 is amended to read:

164.305. As used in ORS 164.305 to [164.377,] 164.335, 164.338 and 164.342, except as the context requires otherwise:

(1) “Property” means any article, substance or tangible thing, regardless of whether the item has value.

(2) “Property of another” means property in which anyone other than the actor has a legal or equitable interest that the actor has no right to defeat or impair, even though the actor may also have such an interest in the property.

((1)) (3) “Protected property” means any structure, place or thing customarily occupied by people, including “public buildings” as defined by ORS 479.168 and “forestland,” as defined by ORS 477.001.

SECTION 2. Section 3 of this 2023 Act is added to and made a part of ORS 164.345 to 164.365.

SECTION 3. As used in ORS 164.345 to 164.365, except as the context requires otherwise, “property of another” means property in which anyone other than the actor has a legal or equitable interest that the actor has no right to defeat or impair, even though the actor may also have such an interest in the property.

SECTION 4. Section 3 of this 2023 Act and the amendments to ORS 164.305 by section 1 of this 2023 Act apply to conduct occurring on or after the effective date of this 2023 Act.

SECTION 5. This 2023 Act takes effect on the 91st day after the date on which the 2023 regular session of the Eighty-second Legislative Assembly adjourns sine die.

NOTE: Matter in boldfaced type in an amended section is new; matter [italic and bracketed] is existing law to be omitted. New sections are in boldfaced type.

LC 965