

House Bill 3035

Sponsored by Representative NERON, Senator MEEK; Senators DEMBROW, WOODS (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**.

Creates crime of threatening a mass injury event. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both.

Directs Department of Corrections and Oregon Youth Authority to distribute moneys to counties for purpose of funding supervision for persons convicted of or adjudicated for threatening a mass injury event. Appropriates moneys to department and authority for distribution.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to threatening a mass injury event; creating new provisions; amending ORS 161.005; and
3 prescribing an effective date.

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

5 **SECTION 1. (1) A person commits the crime of threatening a mass injury event if:**

6 **(a) The person intentionally causes fear, alarm or terror in another person by conveying**
7 **a threat to cause unlawful serious physical injury or death to two or more persons;**

8 **(b) The person expresses the intent to carry out the threat; and**

9 **(c) A reasonable person would:**

10 **(A) Be placed in fear, alarm or terror by the threat; and**

11 **(B) Believe that the threat was likely to be carried out.**

12 **(2) Threatening a mass injury event is a Class C felony.**

13 **(3) A threat under this section may be conveyed orally, in writing or telephonically, or**
14 **may be an electronic threat as defined in ORS 166.065.**

15 **(4) In a prosecution under this section, the state is not required to specifically identify**
16 **the two or more persons against whom the threat is made.**

17 **SECTION 2. (1)(a) The Department of Corrections shall distribute moneys to counties to**
18 **fund supervision services for persons convicted under section 1 of this 2023 Act.**

19 **(b) The Oregon Youth Authority shall distribute moneys to counties to fund supervision**
20 **services for persons found to be within the jurisdiction of the court under ORS 419C.005 for**
21 **committing an act that, if committed by an adult, would constitute an offense under section**
22 **1 of this 2023 Act.**

23 **(2) The obligation of the department and authority to distribute moneys under subsection**
24 **(1) of this section is limited to the extent of moneys specifically appropriated to the depart-**
25 **ment and authority for that purpose.**

26 **SECTION 3. ORS 161.005 is amended to read:**

27 161.005. ORS 161.005 to 161.055, 161.085 to 161.125, 161.150 to 161.175, 161.190 to 161.275, 161.290
28 to 161.373, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705 to 161.737,
29 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375, 162.405 to

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.

1 162.425, 162.465, 163.005, 163.095, 163.107, 163.115, 163.125 to 163.145, 163.149, 163.160 to 163.208,
2 163.191, 163.196, 163.215 to 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285, 163.305 to
3 163.467, 163.432, 163.433, 163.472, 163.505 to 163.575, 163.665 to 163.693, 163.700, 163.701, 163.715,
4 164.005, 164.015 to 164.135, 164.138, 164.140, 164.205 to 164.270, 164.305 to 164.377, 164.395 to 164.415,
5 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118, 165.805, 165.815, 166.005 to 166.095,
6 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027, 167.057, 167.060 to 167.100, 167.117, 167.122 to
7 167.162, 167.203 to 167.252, 167.310 to 167.340, 167.350, 167.810 and 167.820 **and section 1 of this**
8 **2023 Act** shall be known and may be cited as Oregon Criminal Code of 1971.

9 **SECTION 4.** In addition to and not in lieu of any other appropriation, there is appropri-
10 ated to the Department of Corrections, for the biennium beginning July 1, 2023, out of the
11 General Fund, the amount of \$_____, for distribution to counties for the purpose of
12 carrying out section 2 of this 2023 Act.

13 **SECTION 5.** In addition to and not in lieu of any other appropriation, there is appropri-
14 ated to the Oregon Youth Authority, for the biennium beginning July 1, 2023, out of the
15 General Fund, the amount of \$_____, for distribution to counties for the purpose of
16 carrying out section 2 of this 2023 Act.

17 **SECTION 6.** This 2023 Act takes effect on the 91st day after the date on which the 2023
18 regular session of the Eighty-second Legislative Assembly adjourns sine die.
19 _____