

**A-Engrossed**  
**Senate Bill 1060**

Ordered by the Senate April 14  
Including Senate Amendments dated April 14

Sponsored by Senator PROZANSKI; Senators MANNING JR, THATCHER (at the request of Disability Rights Oregon)

**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.

*[Modifies definition of "physical injury," for purposes of Oregon Criminal Code, to include physical trauma. Defines "physical trauma." Specifies how physical injury may be proved.]*

*[Expands crime of criminal mistreatment in the first degree to include subjecting dependent person or elderly person to offensive physical contact. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both.]*

**Provides that in prosecution for offense that includes as element causing physical injury to another person, evidence of physical injury may include specified types of evidence.**

**A BILL FOR AN ACT**

Relating to criminal offenses; creating new provisions; and amending ORS 161.005.

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

**SECTION 1. (1) In a prosecution for an offense that includes, as an element, causing physical injury to another person, evidence of physical injury may include but is not limited to:**

**(a) Testimony by the person alleged to have been injured;**

**(b) Evidence of physical trauma;**

**(c) Testimony from witnesses indicating that the person alleged to have been injured experienced substantial pain or impairment of physical condition; or**

**(d) Expert testimony addressing the effect of the type and amount of force used by the defendant.**

**(2) As used in this section, "physical trauma" includes but is not limited to fractures, cuts, punctures, bruises, burns or other observable effects.**

**SECTION 2. ORS 161.005 is amended to read:**

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 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, 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 162.425, 162.465, 163.005, 163.095, 163.107, 163.115, 163.125 to 163.145, 163.149, 163.160 to 163.208, 163.191, 163.196, 163.215 to 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285, 163.305 to 163.467, 163.432, 163.433, 163.472, 163.505 to 163.575, 163.665 to 163.693, 163.700, 163.701, 163.715, 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, 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118, 165.805, 165.815, 166.005 to 166.095, 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 167.162, 167.203 to 167.252, 167.310 to 167.340, 167.350, 167.810 and 167.820 **and section 1 of this**

**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 **2023 Act** shall be known and may be cited as Oregon Criminal Code of 1971.

2 **SECTION 3. Section 1 of this 2023 Act and the amendments to ORS 161.005 by section 2**  
3 **of this 2023 Act apply to conduct occurring on or after the effective date of this 2023 Act.**

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