

DRAFT

SUMMARY

Digest: The Act changes a crime to include subjecting a public official to alarm by conveying a threat. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 64.6).

Expands the crime of aggravated harassment to include threats concerning public officials in specified circumstances. Punishes by a maximum of five years' imprisonment, a fine of up to \$125,000, or both.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to crime; amending ORS 166.070; and declaring an emergency.

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

4 **SECTION 1.** ORS 166.070 is amended to read:

5 166.070. (1) A person commits the crime of aggravated harassment if the
6 person, knowing that the other person is a:

7 (a) Staff member, knowingly propels saliva, blood, urine, semen, feces or
8 other dangerous substance at the staff member while the staff member is
9 acting in the course of official duty or as a result of the staff member's of-
10 ficial duties;

11 (b) Public safety officer, knowingly propels blood, urine, semen or feces
12 at the public safety officer while the public safety officer is acting in the
13 course of official duty or as a result of the public safety officer's official
14 duties; [*or*]

15 (c) Public safety officer, intentionally propels saliva at the public safety
16 officer, and the saliva comes into physical contact with the public safety
17 officer, while the public safety officer is acting in the course of official duty
18 or as a result of the public safety officer's official duties[.]; **or**

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 (d) **Public official, intentionally subjects the public official to alarm**
2 **by conveying to the public official, or to any member of the public**
3 **official’s family, a telephonic, electronic or written threat to inflict**
4 **serious physical injury on the public official or family member, the**
5 **threat would reasonably be expected to cause alarm, and the person**
6 **conveyed the threat because of:**

7 (A) **The performance or nonperformance of a public duty of the**
8 **public official;**

9 (B) **The status or position of the public official; or**

10 (C) **Any other factor related to the public official’s office or duties.**

11 (2) **Aggravated harassment is a Class C felony. When a person is con-**
12 **victed of violating subsection (1)(a) of this section, in addition to any other**
13 **sentence it may impose, the court shall impose a term of incarceration in a**
14 **state correctional facility.**

15 (3) **As used in this section:**

16 (a) **“Public official” means:**

17 (A) **A person who is elected or appointed, or who has filed the re-**
18 **quired documents for nomination or election, to an office established,**
19 **and the qualifications and duties of which are prescribed, by statute**
20 **or the Oregon Constitution to perform a public duty for the state or**
21 **any political subdivision of the state; and**

22 (B) **An assistant or deputy district attorney, a person serving as a**
23 **prosecutor for a city or county, an assistant attorney general, an ad-**
24 **ministrative law judge and a judge serving upon appointment as a**
25 **senior judge or a judge pro tempore.**

26 [(a)] (b) **“Public safety officer” means an emergency medical services**
27 **provider as defined in ORS 682.025, a regulatory specialist as defined in ORS**
28 **471.001 or a fire service professional, a parole and probation officer or a po-**
29 **lice officer as those terms are defined in ORS 181A.355.**

30 [(b)] (c) **“Staff member” has the meaning given that term in ORS 163.165.**

31 **SECTION 2. This 2026 Act being necessary for the immediate pres-**

1 **ervation of the public peace, health and safety, an emergency is de-**
2 **clared to exist, and this 2026 Act takes effect on its passage.**

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