

Enrolled
Senate Bill 323

Sponsored by Senator OLSEN, Representative KENNEMER (Pre-session filed.)

CHAPTER

AN ACT

Relating to arson caused by the manufacture of controlled substances.

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

SECTION 1. Sections 2 and 3 of this 2017 Act are added to and made a part of ORS 164.305 to 164.377.

SECTION 2. (1) A person commits the crime of arson incident to the manufacture of a controlled substance in the second degree if, by knowingly engaging in the manufacture of a controlled substance, the person causes a fire or causes an explosion that damages:

- (a) Any building of another that is not protected property; or
- (b) Any property of another and the damages to the property exceed \$750.

(2) Arson incident to the manufacture of a controlled substance in the second degree is a Class C felony.

(3) As used in this section and section 3 of this 2017 Act, "controlled substance" and "manufacture" have the meanings given those terms in ORS 475.005.

SECTION 3. (1) A person commits the crime of arson incident to the manufacture of a controlled substance in the first degree if, by knowingly engaging in the manufacture of a controlled substance, the person causes a fire or causes an explosion that damages:

- (a) The protected property of another;
- (b) Any property, whether the property of the person or the property of another person, if the fire or explosion recklessly places another person in danger of physical injury or protected property of another in danger of damage; or
- (c) Any property, whether the property of the person or the property of another person, if the fire or explosion recklessly causes serious physical injury to a firefighter or peace officer acting in the line of duty relating to the fire or explosion.

(2) Arson incident to the manufacture of a controlled substance in the first degree is a Class A felony.

Passed by Senate April 6, 2017

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

Passed by House May 25, 2017

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Tina Kotek, Speaker of House

Received by Governor:

.....M,....., 2017

Approved:

.....M,....., 2017

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2017

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Dennis Richardson, Secretary of State