

# House Bill 3336

Sponsored by Representative HERNANDEZ; Representatives CLEM, GREENLICK, MCLAIN, POWER, Senators FAGAN, FREDERICK

## 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**.

Provides that use of certain name other than name displayed on government-issued identification document does not constitute crime of giving false information to a peace officer in connection with a citation or warrant.

## A BILL FOR AN ACT

1  
2 Relating to giving false information to a peace officer; amending ORS 162.385 and 807.620.

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

4 **SECTION 1.** ORS 162.385 is amended to read:

5 162.385. (1) A person commits the crime of giving false information to a peace officer in con-  
6 nection with a citation or warrant if the person knowingly uses or gives a false or fictitious name,  
7 address or date of birth to any peace officer when:

8 (a) The peace officer is issuing or serving the person a citation under authority of ORS 133.055  
9 to 133.076 or ORS chapter 153; or

10 (b) There is an outstanding warrant for the person's arrest.

11 (2) Giving false information to a peace officer in connection with a citation or warrant is a Class  
12 A misdemeanor.

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

14 **(a) "False or fictitious name" does not include a preferred name.**

15 **(b) "Preferred name" means a name other than the name displayed on a person's**  
16 **government-issued identification document that is used regularly by the person:**

17 **(A) As a form of gender expression;**

18 **(B) To avoid a risk to personal safety;**

19 **(C) For a professional or official purpose; or**

20 **(D) As a nickname or anglicized form of the name displayed on the person's**  
21 **government-issued identification document.**

22 **SECTION 2.** ORS 807.620 is amended to read:

23 807.620. (1) A person commits the offense of giving false information to a police officer if the  
24 person knowingly uses or gives a false or fictitious name, address or date of birth to any police of-  
25 ficer who is enforcing motor vehicle laws.

26 (2) The offense described in this section, giving false information to a police officer, is a Class  
27 A misdemeanor.

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

29 **(a) "False or fictitious name" does not include a preferred name.**

30 **(b) "Preferred name" means a name other than the name displayed on a person's**

**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 **government-issued identification document that is used regularly by the person:**

2 **(A) As a form of gender expression;**

3 **(B) To avoid a risk to personal safety;**

4 **(C) For a professional or official purpose; or**

5 **(D) As a nickname or anglicized form of the name displayed on the person's**  
6 **government-issued identification document.**

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