

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO  
SENATE BILL 1013**

1 On page 1 of the printed bill, delete lines 7 through 28

2 On page 2, delete lines 1 through 20 and insert:

3 **“SECTION 1.** ORS 163.095 is amended to read:

4 “163.095. As used in ORS 163.105 and this section, ‘aggravated murder’  
5 means [*murder as defined in ORS 163.115 which*]:

6 **“(1) Criminal homicide of two or more persons that is premeditated**  
7 **and committed intentionally** [*under, or accompanied by, any of the following*  
8 *circumstances*] **and with the intent to:**

9 **“(a) Intimidate, injure or coerce a civilian population;**

10 **“(b) Influence the policy of a government by intimidation or**  
11 **coercion; or**

12 **“(c) Affect the conduct of a government through destruction of**  
13 **property, murder, kidnapping or aircraft piracy; or**

14 **“(2) Murder in the second degree, as defined in ORS 163.115, that is**  
15 **premeditated and committed intentionally against a person under 14**  
16 **years of age.**

17 “[*(1)(a) The defendant committed the murder pursuant to an agreement that*  
18 *the defendant receive money or other thing of value for committing the*  
19 *murder.*]

20 “[*(b) The defendant solicited another to commit the murder and paid or*  
21 *agreed to pay the person money or other thing of value for committing the*

1 *murder.]*

2 *“[(c) The defendant committed murder after having been convicted previ-*  
3 *ously in any jurisdiction of any homicide, the elements of which constitute the*  
4 *crime of murder as defined in ORS 163.115 or manslaughter in the first degree*  
5 *as defined in ORS 163.118.]*

6 *“[(d) There was more than one murder victim in the same criminal episode*  
7 *as defined in ORS 131.505.]*

8 *“[(e) The homicide occurred in the course of or as a result of intentional*  
9 *maiming or torture of the victim.]*

10 *“[(f) The victim of the intentional homicide was a person under the age of*  
11 *14 years.]*

12 *“[(2)(a) The victim was one of the following and the murder was related to*  
13 *the performance of the victim’s official duties in the justice system:]*

14 *“[(A) A police officer as defined in ORS 181A.355;]*

15 *“[(B) A correctional, parole and probation officer or other person charged*  
16 *with the duty of custody, control or supervision of convicted persons;]*

17 *“[(C) A member of the Oregon State Police;]*

18 *“[(D) A judicial officer as defined in ORS 1.210;]*

19 *“[(E) A juror or witness in a criminal proceeding;]*

20 *“[(F) An employee or officer of a court of justice;]*

21 *“[(G) A member of the State Board of Parole and Post-Prison Supervision;*  
22 *or]*

23 *“[(H) A regulatory specialist.]*

24 *“[(b) The defendant was confined in a state, county or municipal penal or*  
25 *correctional facility or was otherwise in custody when the murder occurred.]*

26 *“[(c) The defendant committed murder by means of an explosive as defined*  
27 *in ORS 164.055.]*

28 *“[(d) Notwithstanding ORS 163.115 (1)(b), the defendant personally and*  
29 *intentionally committed the homicide under the circumstances set forth in ORS*  
30 *163.115 (1)(b).]*

1        “[e] *The murder was committed in an effort to conceal the commission of*  
2 *a crime, or to conceal the identity of the perpetrator of a crime.*]

3        “[f] *The murder was committed after the defendant had escaped from a*  
4 *state, county or municipal penal or correctional facility and before the de-*  
5 *fendant had been returned to the custody of the facility.*]”.

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