

House Bill 3349

Sponsored by Representative WITT

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**.

Increases penalties for conduct constituting crime of criminal mischief when person has prior conviction for criminal mischief in any degree or commits crime while being aided by 10 or more other persons. Punishes by maximum of five years' imprisonment, \$125,000 fine, or both.

A BILL FOR AN ACT

1
2 Relating to criminal mischief; amending ORS 164.354.

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

4 **SECTION 1.** ORS 164.354 is amended to read:

5 164.354. (1) A person commits the crime of criminal mischief in the second degree if:

6 (a) The person violates ORS 164.345, and:

7 **(A)** As a result thereof, damages property in an amount exceeding \$500; [*or*]

8 **(B) At the time of the offense, the person has a prior conviction under this section or**
9 **ORS 164.345 or 164.365; or**

10 **(C) The person is aided by 10 or more other persons actually present;**

11 (b) Having no right to do so nor reasonable ground to believe that the person has such right,
12 the person intentionally damages property of another[*, or,*]; **or**

13 **(c) Having no right to do so nor reasonable ground to believe that the person has such**
14 **right,** the person recklessly damages property of another **and:**

15 **(A)** [*In an amount exceeding*] **The amount of damages exceeds \$500;**

16 **(B) At the time of the offense, the person has a prior conviction under this section or**
17 **ORS 164.345 or 164.365; or**

18 **(C) The person is aided by 10 or more other persons actually present.**

19 (2) Criminal mischief in the second degree is a Class A misdemeanor.
20

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.