

A-Engrossed
Senate Bill 398

Ordered by the Senate March 26
Including Senate Amendments dated March 26

Sponsored by Senators BURDICK, MANNING JR; Senators DEMBROW, FREDERICK, GELSER, JAMA, WAGNER
(Presession filed.)

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.

Creates crime of intimidation by display of a noose. Punishes by maximum of 364 days' imprisonment, \$6,250 fine, or both.

A BILL FOR AN ACT

Relating to intimidation by display of a noose; creating new provisions; and amending ORS 161.005.

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

SECTION 1. (1) A person commits the crime of intimidation by display of a noose if:

(a) The person, with the intent to intimidate another person or place another person in fear of imminent bodily harm, knowingly places a noose:

(A) On public property; or

(B) On private property without the written consent of the property owner;

(b) The other person is intimidated or placed in fear of imminent bodily harm by the display; and

(c) A reasonable person would be intimidated or placed in fear of imminent bodily harm by the display.

(2) Intimidation by display of a noose is a Class A misdemeanor.

(3) As used in this section:

(a) "Intimidate" means to threaten another person in a manner that compels or deters the other person's conduct.

(b) "Noose" means a tied loop in the end of a length of rope or cord.

SECTION 2. ORS 161.005 is amended to read:

161.005. ORS 161.005 to 161.055, 161.085 to 161.125, 161.150 to 161.175, 161.190 to 161.275, 161.290 to 161.373, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705 to 161.737, 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375, 162.405 to 162.425, 162.465, 163.005, 163.095, 163.107, 163.115, 163.125 to 163.145, 163.149, 163.160 to 163.208, 163.196, 163.215 to 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285, 163.305 to 163.467, 163.432, 163.433, 163.472, 163.505 to 163.575, 163.665 to 163.693, 163.700, 163.701, 163.715, 164.005, 164.015 to 164.135, 164.138, 164.140, 164.205 to 164.270, 164.305 to 164.377, 164.395 to 164.415, 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118, 165.805, 165.815, 166.005 to 166.095, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027, 167.057, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340, 167.350, 167.810 and 167.820 **and section 1 of this 2021 Act**

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 shall be known and may be cited as Oregon Criminal Code of 1971.

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