

HB 2772 A STAFF MEASURE SUMMARY

Carrier: Rep. Evans

Joint Committee On Ways and Means

Action Date: 06/02/23

Action: Do Pass the A-Eng bill.

House Vote

Yeas: 11 - Breese-Iverson, Cate, Evans, Gomberg, Holvey, Lewis, McLain, Reschke, Sanchez, Smith G, Valderrama

Nays: 1 - Pham K

Senate Vote

Yeas: 8 - Anderson, Dembrow, Findley, Frederick, Hansell, Knopp, Sollman, Steiner

Nays: 2 - Campos, Gelser Blouin

Exc: 1 - Girod

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

Prepared By: Emily Coates, Fiscal Analyst

Meeting Dates: 5/30, 6/2

WHAT THE MEASURE DOES:

Creates the crime of domestic terrorism in first degree, a Class B felony, if a person intentionally destroys or substantially damages critical infrastructure, or intentionally introduces, releases, or disperses a toxic substance into widespread contact with humans.

Creates the crime of domestic terrorism in second degree, a Class C felony, if a person intentionally possesses a toxic substance with the intent to introduce the substance into widespread contact with humans, possesses a destructive device with the intent to destroy or substantially damage critical infrastructure, attempts to destroy or substantially damage critical infrastructure, or attempts to introduce, release or disperse a toxic substance into widespread contact with humans.

The measure is effective January 1, 2024.

ISSUES DISCUSSED:

Concern over use of domestic terrorism statutes in prosecutions.

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

According to an Advisory Report released by the Oregon Secretary of State and Oregon Audits Division in March 2022, Oregon ranked sixth in the nation for the number of domestic violent extremist incidents between 2011 and 2020, with the number rising precipitously from 2019 to 2021. The U.S. Department of Justice is the governing entity that most often brings domestic terrorism and violent extremism charges against individuals. However, several states also have legislation defining and criminalizing such activity.

Oregon does not currently define or criminalize domestic terrorism or violent extremism. House Bill 2772 creates a new crime of domestic terrorism.