

House Bill 2935

Sponsored by Representative MORGAN; Representatives EVANS, HIEB, WRIGHT, Senator THATCHER (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 **as introduced**.

Modifies definition of "property" for purposes of arson and reckless burning crimes.
Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to property crimes; creating new provisions; amending ORS 164.305; and prescribing an ef-
3 fective date.

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

5 **SECTION 1.** ORS 164.305 is amended to read:

6 164.305. As used in ORS 164.305 to [*164.377,*] **164.335, 164.338 and 164.342**, except as the context
7 requires otherwise:

8 (1) **"Property" means any article, substance or tangible thing, regardless of whether the**
9 **item has value.**

10 (2) **"Property of another" means property in which anyone other than the actor has a**
11 **legal or equitable interest that the actor has no right to defeat or impair, even though the**
12 **actor may also have such an interest in the property.**

13 [*(1)*] (3) **"Protected property" means any structure, place or thing customarily occupied by peo-**
14 **ple, including "public buildings" as defined by ORS 479.168 and "forestland," as defined by ORS**
15 **477.001.**

16 [*(2)*] ***"Property of another" means property in which anyone other than the actor has a legal or***
17 ***equitable interest that the actor has no right to defeat or impair, even though the actor may also have***
18 ***such an interest in the property.***

19 **SECTION 2.** Section 3 of this 2023 Act is added to and made a part of ORS 164.345 to
20 **164.365.**

21 **SECTION 3.** As used in ORS 164.345 to 164.365, except as the context requires otherwise,
22 **"property of another" means property in which anyone other than the actor has a legal or**
23 **equitable interest that the actor has no right to defeat or impair, even though the actor may**
24 **also have such an interest in the property.**

25 **SECTION 4.** Section 3 of this 2023 Act and the amendments to ORS 164.305 by section 1
26 of this 2023 Act apply to conduct occurring on or after the effective date of this 2023 Act.

27 **SECTION 5.** This 2023 Act takes effect on the 91st day after the date on which the 2023
28 regular session of the Eighty-second Legislative Assembly adjourns sine die.

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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.