

House Bill 3375

Sponsored by Representative TRAN; Senator DEMBROW

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**.

Provides that defendant's perception of victim's homelessness or extreme poverty may constitute motive for bias crime.

A BILL FOR AN ACT

1
2 Relating to bias crimes; amending ORS 166.155 and 166.165.

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

4 **SECTION 1.** ORS 166.155 is amended to read:

5 166.155. (1) A person commits a bias crime in the second degree if the person:

6 (a) Tampers or interferes with property, having no right to do so nor reasonable ground to be-
7 lieve that the person has such right, with the intent to cause substantial inconvenience to another
8 person because of the person's perception of the other person's race, color, religion, gender identity,
9 sexual orientation, disability, **homelessness, extreme poverty** or national origin;

10 (b) Intentionally subjects another person to offensive physical contact because of the person's
11 perception of the other person's race, color, religion, gender identity, sexual orientation, disability,
12 **homelessness, extreme poverty** or national origin; or

13 (c) Intentionally, because of the person's perception of race, color, religion, gender identity,
14 sexual orientation, disability, **homelessness, extreme poverty** or national origin of another person
15 or of a member of the other person's family, subjects the other person to alarm by threatening:

16 (A) To inflict serious physical injury upon or to commit a felony affecting the other person, or
17 a member of the other person's family; or

18 (B) To cause substantial damage to the property of the other person or of a member of the other
19 person's family.

20 (2) A bias crime in the second degree is a Class A misdemeanor.

21 (3) As used in this section and ORS 166.165:

22 (a) "Gender identity" means an individual's gender-related identity, appearance, expression or
23 behavior, regardless of whether the identity, appearance, expression or behavior differs from that
24 associated with the gender assigned to the individual at birth.

25 (b) "Property" means any tangible personal property or real property.

26 **SECTION 2.** ORS 166.165 is amended to read:

27 166.165. (1) A person commits a bias crime in the first degree if the person:

28 (a) Intentionally, knowingly or recklessly causes physical injury to another person because of
29 the person's perception of the other person's race, color, religion, gender identity, sexual orientation,
30 disability, **homelessness, extreme poverty** or national origin;

31 (b) With criminal negligence causes physical injury to another person by means of a deadly

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 weapon because of the person's perception of the other person's race, color, religion, gender identity,
2 sexual orientation, disability, **homelessness, extreme poverty** or national origin; or

3 (c) Intentionally, because of the person's perception of another person's race, color, religion,
4 gender identity, sexual orientation, disability, **homelessness, extreme poverty** or national origin,
5 places another person in fear of imminent serious physical injury.

6 (2) A bias crime in the first degree is a Class C felony.

7
