

**Enrolled**  
**Senate Bill 1060**

Sponsored by Senator PROZANSKI; Senators GELSER BLOUIN, MANNING JR, THATCHER (at the request of Disability Rights Oregon)

CHAPTER .....

AN ACT

Relating to criminal offenses; creating new provisions; and amending ORS 161.005.

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

**SECTION 1.** (1) In a prosecution for an offense that includes, as an element, causing physical injury to another person, evidence of physical injury may include but is not limited to:

- (a) Testimony by the person alleged to have been injured;
- (b) Evidence of physical trauma;
- (c) Testimony from witnesses indicating that the person alleged to have been injured experienced substantial pain or impairment of physical condition; or
- (d) Expert testimony addressing the effect of the type and amount of force used by the defendant.

(2) As used in this section, “physical trauma” includes but is not limited to fractures, cuts, punctures, bruises, burns or other observable effects.

**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, 163.191, 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 2023 Act** shall be known and may be cited as Oregon Criminal Code of 1971.

**SECTION 3.** Section 1 of this 2023 Act and the amendments to ORS 161.005 by section 2 of this 2023 Act apply to conduct occurring on or after the effective date of this 2023 Act.

**Passed by Senate April 20, 2023**

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Lori L. Brocker, Secretary of Senate

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Rob Wagner, President of Senate

**Passed by House May 25, 2023**

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Dan Rayfield, Speaker of House

**Received by Governor:**

.....M,....., 2023

**Approved:**

.....M,....., 2023

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Tina Kotek, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2023

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Secretary of State