

Requested by Representative GRAYBER

**PROPOSED AMENDMENTS TO
HOUSE BILL 2572**

1 On page 1 of the printed bill, line 2, after “activity” delete the rest of the
2 line and insert a period.

3 Delete lines 4 through 31 and delete pages 2 and 3 and insert:

4 **“SECTION 1. (1) A person or group of persons is subject to an**
5 **action described in subsection (2) or (3) of this section for engaging in**
6 **paramilitary activity if the person or group of persons knowingly,**
7 **while acting as part of a private paramilitary organization or on behalf**
8 **of or in furtherance of any objective of a private paramilitary organ-**
9 **ization, and while armed with a dangerous weapon:**

10 **“(a) Publicly patrols, drills or engages in techniques capable of**
11 **causing physical injury or death;**

12 **“(b) Interferes with, interrupts or attempts to interfere with or in-**
13 **terrupt governmental operations or a government proceeding;**

14 **“(c) Assumes, exercises or asserts, without legal authorization, the**
15 **functions, powers or duties of:**

16 **“(A) A law enforcement officer, including any sheriff, police officer,**
17 **marshal or other peace officer; or**

18 **“(B) Any local, city, county, state or federal official;**

19 **“(d) Interferes with another person and thereby:**

20 **“(A) Prevents the other person, or attempts to prevent the other**
21 **person, from engaging in conduct in which the other person has a le-**

1 gal right to engage; or

2 “(B) Causes the other person, or attempts to cause the other per-
3 son, to engage in conduct from which the other person has a legal
4 right to abstain; or

5 “(e) Trains to engage in any activity described in paragraphs (a) to
6 (d) of this subsection.

7 “(2)(a) If the Attorney General has reasonable cause to believe that
8 a person or group of persons has engaged in, or is about to engage in,
9 paramilitary activity as described in subsection (1) of this section, the
10 Attorney General may bring a civil action in the name of the State
11 of Oregon for injunctive relief in Marion County Circuit Court or any
12 other circuit court of this state.

13 “(b)(A) If it appears to the Attorney General that a person has
14 possession, custody or control of any information, document or other
15 material that is relevant to an investigation of paramilitary activity
16 as described in subsection (1) of this section, or that could lead to the
17 discovery of relevant information in an investigation of paramilitary
18 activity as described in subsection (1) of this section, the Attorney
19 General may cause an investigative demand to be served upon the
20 person. The investigative demand may require the person:

21 “(i) To appear and testify under oath at the time and place stated
22 in the investigative demand;

23 “(ii) To answer written interrogatories; or

24 “(iii) To produce relevant documentary material or physical evi-
25 dence for examination at the time and place stated in the investigative
26 demand.

27 “(B) An investigative demand under this paragraph shall be served
28 in the manner provided by ORS 646.622 and may be enforced in the
29 manner provided by ORS 646.626.

30 “(c) When conducting investigations under this section, the Attor-

1 ney General may not demand, collect or maintain information about
2 the political, religious or social views, associations or activities of any
3 individual, group, association, organization, corporation, business or
4 partnership unless the information directly relates to an investigation
5 into, and there are reasonable grounds to suspect that the subject of
6 the information is involved in, paramilitary activity as described in
7 subsection (1) of this section.

8 “(3)(a) A person injured as a result of paramilitary activity as de-
9 scribed in subsection (1) of this section may bring a civil action, indi-
10 vidually or jointly with other aggrieved persons, in the appropriate
11 court for relief against the person or persons who engaged in the
12 paramilitary activity.

13 “(b) A plaintiff who prevails in a claim under this subsection may
14 recover:

15 “(A) Economic or noneconomic damages, as those terms are defined
16 in ORS 31.705;

17 “(B) Injunctive relief;

18 “(C) Reasonable attorney fees; and

19 “(D) Any other appropriate equitable relief.

20 “(4) This section does not apply to:

21 “(a) The Armed Forces of the United States or the National Guard,
22 as those terms are defined in 10 U.S.C. 101, or any regularly organized
23 state militia or unorganized or reserve militia called into service by a
24 state or the United States, including a defense force authorized under
25 32 U.S.C. 109(c).

26 “(b) A group of individuals that associates as a military organiza-
27 tion solely for historical purposes or fictional performances, or that
28 parades in public as part of a bona fide veterans’ organization, so long
29 as the group does not carry or use ammunition or explosives.

30 “(c) Students in an education institution authorized by a state or

1 federal government to teach military science as a prescribed part of
2 the course of instruction, when under the supervision of a military
3 instructor.

4 “(d) Members of an organization that is authorized under state or
5 federal law to provide paramilitary, law enforcement or security ser-
6 vices training or to engage in paramilitary activity or the provision
7 of law enforcement or security services, when performing the func-
8 tions authorized by law and, in the case of paramilitary activity and
9 law enforcement services, when under the direction and control of a
10 governmental authority.

11 “(e) Any lawful activity of the State Department of Fish and
12 Wildlife.

13 “(f) Any activity intended to teach or practice self-defense or self-
14 defense techniques, such as karate clubs or self-defense clinics, and
15 similar lawful activity.

16 “(g) Any facility, program or lawful activity related to firearms in-
17 struction and training intended to teach the safe handling and use of
18 firearms, or any other lawful sports or activities related to the indi-
19 vidual recreational use or possession of firearms, including but not
20 limited to hunting activities, target shooting, self-defense, firearms
21 collection or any organized activity, including but not limited to any
22 hunting club, rifle club, rifle range or shooting range, which does not
23 include a criminal conspiracy as defined in ORS 161.450 or the knowl-
24 edge of or the intent to cause or further acts of physical violence or
25 damage to persons or property.

26 “(5) As used in this section:

27 “(a) ‘Dangerous weapon’ has the meaning given that term in ORS
28 161.015.

29 “(b) ‘Private paramilitary organization’ means any group of three
30 or more persons associating under a command structure for the pur-

1 **pose of functioning in public or training to function in public as a**
2 **combat, combat support, law enforcement or security services unit.**

3 **“(c) ‘State’ means the District of Columbia or a state, common-**
4 **wealth, territory or possession of the United States.”.**

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