

Requested by Representative EVANS

**PROPOSED AMENDMENTS TO
HOUSE BILL 2772**

1 In line 2 of the printed bill, after “terrorism” insert “; creating new pro-
2 visions; and amending ORS 161.005”.

3 Delete lines 4 through 11 and insert:

4 **“SECTION 1. As used in sections 1 to 3 of this 2023 Act:**

5 **“(1) ‘Critical infrastructure’ means a gas, electric or water utility**
6 **system, an electric substation, a pipeline or other conveyance for**
7 **carrying gas, natural gas or fuel, a fiber optic cable network, a base**
8 **transceiver station or other wireless communication infrastructure, a**
9 **data center, or a dam, bridge, road, airport, marina or rail line.**

10 **“(2) ‘Destructive device’ has the meaning given that term in ORS**
11 **166.382.**

12 **“(3) ‘Toxic substance’ means any radiological, biological, pathogenic**
13 **or chemical substance that may cause death or serious physical injury**
14 **if ingested, inhaled, consumed or absorbed by a human being.**

15 **“(4) ‘Widespread’ means impacting at least 50 human beings.**

16 **“SECTION 2. (1) A person commits the crime of domestic terrorism**
17 **in the first degree if the person, with the intent to cause widespread**
18 **sickness, contagion, serious physical injury, death or the disruption**
19 **of services provided by critical infrastructure:**

20 **“(a) Intentionally destroys or substantially damages critical**
21 **infrastructure; or**

1 **“(b) Intentionally introduces, releases or disperses a toxic substance**
2 **into widespread contact with human beings.**

3 **“(2) Domestic terrorism in the first degree is a Class B felony.**

4 **“(3) The Oregon Criminal Justice Commission shall classify domes-**
5 **tic terrorism in the first degree as crime category 9 of the sentencing**
6 **guidelines grid of the commission.**

7 **“SECTION 3. (1) A person commits the crime of domestic terrorism**
8 **in the second degree if the person, with the intent to cause widespread**
9 **sickness, contagion, serious physical injury, death or the disruption**
10 **of services provided by critical infrastructure:**

11 **“(a) Intentionally possesses a toxic substance with the intent to**
12 **introduce the substance into widespread contact with human beings;**

13 **“(b) Intentionally possesses a destructive device with the intent to**
14 **destroy or substantially damage critical infrastructure;**

15 **“(c) Intentionally attempts to destroy or substantially damage**
16 **critical infrastructure; or**

17 **“(d) Intentionally attempts to introduce, release or disperse a toxic**
18 **substance into widespread contact with human beings.**

19 **“(2) Domestic terrorism in the second degree is a Class C felony.**

20 **“(3) The Oregon Criminal Justice Commission shall classify domes-**
21 **tic terrorism in the second degree as crime category 7 of the sentenc-**
22 **ing guidelines grid of the commission.**

23 **“SECTION 4. ORS 161.005 is amended to read:**

24 **“161.005. ORS 161.005 to 161.055, 161.085 to 161.125, 161.150 to 161.175,**
25 **161.190 to 161.275, 161.290 to 161.373, 161.405 to 161.485, 161.505 to 161.585,**
26 **161.605, 161.615 to 161.685, 161.705 to 161.737, 162.005, 162.015 to 162.035,**
27 **162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375, 162.405 to 162.425,**
28 **162.465, 163.005, 163.095, 163.107, 163.115, 163.125 to 163.145, 163.149, 163.160**
29 **to 163.208, 163.191, 163.196, 163.215 to 163.257, 163.261, 163.263, 163.264,**
30 **163.266, 163.275, 163.285, 163.305 to 163.467, 163.432, 163.433, 163.472, 163.505**

1 to 163.575, 163.665 to 163.693, 163.700, 163.701, 163.715, 164.005, 164.015 to
2 164.135, 164.138, 164.140, 164.205 to 164.270, 164.305 to 164.377, 164.395 to
3 164.415, 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118, 165.805,
4 165.815, 166.005 to 166.095, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027,
5 167.057, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252,
6 167.310 to 167.340, 167.350, 167.810 and 167.820 **and sections 2 and 3 of this**
7 **2023 Act** shall be known and may be cited as Oregon Criminal Code of
8 1971.”.

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