

SB 1553-1
(LC 118)
2/2/24 (JLM/ps)

Requested by Senator LIEBER

**PROPOSED AMENDMENTS TO
SENATE BILL 1553**

1 In line 2 of the printed bill, after “state” insert “; amending ORS 166.116
2 and 423.478”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1.** ORS 166.116 is amended to read:

5 “166.116. (1) A person commits the crime of interfering with public
6 transportation if the person:

7 “(a) Intentionally or knowingly enters or remains unlawfully in or on a
8 public transit vehicle or public transit station;

9 “(b) Intentionally or knowingly interferes with the provision or use of
10 public transportation services by, among other things, interfering with the
11 movement of, or access to, public transit vehicles;

12 “(c) While in or on a public transit vehicle or public transit station, en-
13 gages in disorderly conduct in the second degree as defined in ORS 166.025;
14 [or]

15 “(d) Subjects a public transportation passenger, employee, agent or secu-
16 rity officer or transit police officer to offensive physical contact[.]; **or**

17 **“(e) While in or on a public transit vehicle or public transit station,**
18 **knowingly ingests, inhales, ignites, injects or otherwise consumes a**
19 **controlled substance that is not lawfully possessed by the person.**

20 “(2)(a)(A) Interfering with public transportation as provided in subsection
21 (1)(a) of this section is a Class C misdemeanor.

1 “(B) Notwithstanding subparagraph (A) of this paragraph, interfering
2 with public transportation as provided in subsection (1)(a) of this section is
3 a Class A misdemeanor if the person has three or more prior convictions for
4 interfering with public transportation as provided in subsection (1)(a) of this
5 section.

6 “(b) Interfering with public transportation as provided in subsection (1)(b)
7 to [(d)] (e) of this section is a Class A misdemeanor.

8 “(3) As used in this section:

9 “(a) ‘Controlled substance’ has the meaning given that term in ORS
10 475.005.

11 “[a)] (b) ‘Enter or remain unlawfully’ has the meaning given that term
12 in ORS 164.205.

13 “[b)] (c) ‘Public transit station’ includes all facilities, structures, lands
14 and rights of way that are owned, leased, held or used for the purposes of
15 providing public transportation services.

16 “[c)] (d) ‘Public transit vehicle’ means a vehicle that is used for public
17 transportation or operated by or under contract to any public body in order
18 to provide public transportation.

19 “[d)] (e) ‘Public transportation’ means transportation provided by a city,
20 county, special district or any other political subdivision or municipal or
21 public corporation.

22 “**SECTION 2.** ORS 423.478 is amended to read:

23 “423.478. (1) The Department of Corrections shall:

24 “(a) Operate prisons for offenders sentenced to terms of incarceration for
25 more than 12 months;

26 “(b) Provide central information and data services sufficient to:

27 “(A) Allow tracking of offenders; and

28 “(B) Permit analysis of correlations between sanctions, supervision, ser-
29 vices and programs, and future criminal conduct; and

30 “(c) Provide interstate compact administration and jail inspections.

1 “(2) Subject to ORS 423.483, each county, in partnership with the depart-
2 ment, shall assume responsibility for community-based supervision, sanctions
3 and services for offenders convicted of felonies, designated drug-related
4 misdemeanors or designated person misdemeanors who are:

5 “(a) On parole;

6 “(b) On probation;

7 “(c) On post-prison supervision;

8 “(d) Sentenced, on or after January 1, 1997, to 12 months or less incar-
9 ceration;

10 “(e) Sanctioned, on or after January 1, 1997, by a court or the State Board
11 of Parole and Post-Prison Supervision to 12 months or less incarceration for
12 violation of a condition of parole, probation or post-prison supervision; or

13 “(f) On conditional release under ORS 420A.206.

14 “(3) Notwithstanding the fact that the court has sentenced a person to a
15 term of incarceration, when an offender is committed to the custody of the
16 supervisory authority of a county under ORS 137.124 (2) or (4), the supervi-
17 sory authority may execute the sentence by imposing sanctions other than
18 incarceration if deemed appropriate by the supervisory authority. If the su-
19 pervisory authority releases a person from custody under this subsection and
20 the person is required to report as a sex offender under ORS 163A.010, the
21 supervisory authority, as a condition of release, shall order the person to
22 report to the Department of State Police, a city police department or a
23 county sheriff’s office or to the supervising agency, if any:

24 “(a) When the person is released;

25 “(b) Within 10 days of a change of residence;

26 “(c) Once each year within 10 days of the person’s birth date;

27 “(d) Within 10 days of the first day the person works at, carries on a
28 vocation at or attends an institution of higher education; and

29 “(e) Within 10 days of a change in work, vocation or attendance status
30 at an institution of higher education.

1 “(4) As used in this section:

2 “(a) ‘Attends,’ ‘institution of higher education,’ ‘works’ and ‘carries on a
3 vocation’ have the meanings given those terms in ORS 163A.005.

4 “(b) ‘Designated drug-related misdemeanor’ means:

5 “(A) Unlawful possession of fentanyl under ORS 475.752 (8)(a);

6 “(B) Unlawful possession of methadone under ORS 475.824 (2)(b);

7 “(C) Unlawful possession of oxycodone under ORS 475.834 (2)(b);

8 “(D) Unlawful possession of heroin under ORS 475.854 (2)(b);

9 “(E) Unlawful possession of 3,4-methylenedioxymethamphetamine under
10 ORS 475.874 (2)(b);

11 “(F) Unlawful possession of cocaine under ORS 475.884 (2)(b); [*or*]

12 “(G) Unlawful possession of methamphetamine under ORS 475.894
13 (2)(b)[.]; **or**

14 **“(H) Interfering with public transportation under ORS 166.116 (1)(e).**

15 “(c) ‘Designated person misdemeanor’ means:

16 “(A) Assault in the fourth degree constituting domestic violence if the
17 judgment document is as described in ORS 163.160 (4);

18 “(B) Menacing constituting domestic violence if the judgment document
19 is as described in ORS 163.190 (3); or

20 “(C) Sexual abuse in the third degree under ORS 163.415.”.

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