

Senate Bill 615

Sponsored by Senator BONHAM (Pre-session filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act creates a way to charge and sentence a person who causes permanent injury to another. (Flesch Readability Score: 61.6).

Establishes a procedure for charging an aggravated version of certain assault and attempted murder offenses when the defendant causes permanent physical injury to the victim during the commission of the crime. Provides that if the defendant is convicted of the aggravated offense, the court shall sentence the defendant to 300 months' imprisonment. Authorizes the court to impose a lesser sentence in certain circumstances.

A BILL FOR AN ACT

1
2 Relating to permanent physical injury; creating new provisions; and amending ORS 161.005.

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

4 **SECTION 1. Section 2 of this 2025 Act shall be known and may be cited as Ezra's Law.**

5 **SECTION 2. (1)(a) An allegation that a defendant caused permanent physical injury to a**
6 **victim during the commission of a crime described in paragraph (b) of this subsection may**
7 **be pleaded in the accusatory instrument, and proved at trial as an element in aggravation**
8 **of the crime, as provided in this section. The aggravated nature of the crime may be indi-**
9 **cated by adding the words "resulting in permanent physical injury" to the title of the offense.**
10 **The unaggravated crime shall be considered a lesser included offense.**

11 **(b) This section applies to the following crimes committed intentionally or knowingly by**
12 **a person at least 18 years of age:**

13 **(A) Assault in the first degree;**

14 **(B) Assault in the second degree;**

15 **(C) Attempted murder in any degree; or**

16 **(D) Attempted aggravated murder.**

17 **(2)(a) Notwithstanding the provisions of ORS 161.605, and except as otherwise provided**
18 **in subsection (3) of this section, if a defendant is convicted of a crime described in subsection**
19 **(1)(b) of this section having as an element that the defendant caused permanent physical**
20 **injury to the victim during the commission of the crime, the court shall impose as a sentence**
21 **a term of imprisonment of 300 months.**

22 **(b) A defendant sentenced under this subsection is not, during the service of the term**
23 **of imprisonment, eligible for release on post-prison supervision, work release or any form**
24 **of temporary leave from custody, or any reduction in the imposed sentence under ORS**
25 **421.121 or any other statute.**

26 **(3)(a) If, at the time of commission of the offense, the defendant has not previously been**
27 **sentenced under this section, the court may impose a sentence of less than 300 months of**
28 **imprisonment if the court expressly finds substantial and compelling circumstances justify-**

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 **ing the lesser sentence, and sets forth those circumstances on the record at sentencing.**

2 **(b) If the court sentences a defendant to a term of less than 300 months of imprisonment**
3 **under this subsection, the court:**

4 **(A) May indicate in the judgment that the defendant is eligible for a reduction in a term**
5 **of imprisonment under ORS 421.121.**

6 **(B) May not impose a sentence that is less than a mandatory sentence required by ORS**
7 **137.635 or 137.700 or any other statute.**

8 **(4) As used in this section, “permanent physical injury” means physical injury that di-**
9 **rectly results in:**

10 **(a) Permanent loss of a person’s vision or hearing;**

11 **(b) Permanent loss of a person’s ability to walk, breathe, eat or move the person’s limbs;**

12 **or**

13 **(c) Permanent impairment of a person’s cognitive functioning.**

14 **SECTION 3.** ORS 161.005 is amended to read:

15 161.005. ORS 161.005 to 161.055, 161.065, 161.085 to 161.125, 161.150 to 161.175, 161.190 to
16 161.275, 161.290 to 161.373, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705
17 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,
18 162.405 to 162.425, 162.465, 163.005, 163.095, 163.107, 163.115, 163.125 to 163.145, 163.149, 163.160 to
19 163.208, 163.191, 163.196, 163.215 to 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285,
20 163.305 to 163.467, 163.429, 163.432, 163.433, 163.472, 163.505 to 163.575, 163.665 to 163.693, 163.700,
21 163.701, 163.715, 164.005, 164.015 to 164.135, 164.138, 164.140, 164.205 to 164.270, 164.305 to 164.377,
22 164.395 to 164.415, 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118, 165.805, 165.815,
23 166.005 to 166.095, 166.119, 166.125, 166.128, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027,
24 167.057, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340, 167.350,
25 167.810 and 167.820 **and section 2 of this 2025 Act** shall be known and may be cited as Oregon
26 Criminal Code of 1971.

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