

A-Engrossed Senate Bill 473

Ordered by the Senate April 11
Including Senate Amendments dated April 11

Sponsored by Senator PROZANSKI; Senators MANNING JR, WEBER, Representative FRAGALA (at the request of City of Eugene) (Presession 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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act creates a new crime of threatening a public official. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 75.3).

Creates the crime of threatening a public official. Punishes by a maximum of 364 days' imprisonment, \$6,250 fine, or both, for the first offense, and a maximum of five years' imprisonment, \$125,000 fine, or both, for subsequent offenses.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

Relating to crime; creating new provisions; amending ORS 161.005; and declaring an emergency.

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

SECTION 1. (1) A person commits the crime of threatening a public official if:

(a) The person knowingly delivers or conveys, directly or indirectly and by any means, a threatening communication to a public official or a member of the public official's immediate family;

(b) A reasonable person would expect the threatening communication to be followed by unlawful acts of violence; and

(c) The person delivered or conveyed the threatening communication because of:

(A) The performance or nonperformance of some public duty of the public official;

(B) The status or position of the public official; or

(C) Any other factor related to the public official's office or duties.

(2)(a) Threatening a public official is a Class A misdemeanor.

(b) Notwithstanding paragraph (a) of this subsection, threatening a public official is a Class C felony if the person has a prior conviction under this section at the time of the offense.

(3) As used in this section:

(a) "Immediate family" means a spouse, persons related by descending lineal consanguinity, stepchildren, lawfully adopted children and foster children.

(b)(A) "Public official" means a person who is elected or appointed or who has filed the required documents for nomination or election to an office established, and the qualifications and duties of which are prescribed, by statute or the Oregon Constitution to perform a public duty for the state or any political subdivision of the state.

(B) "Public official" includes an assistant or deputy district attorney, a person serving

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 as a prosecutor for a city or county, an assistant attorney general, an administrative law
2 judge and a judge serving upon appointment as a senior judge or a judge pro tempore.

3 (c) “Threatening communication” means a communication that instills in the recipient
4 a fear that the person delivering or conveying the communication will cause imminent and
5 serious physical injury to or the death of the recipient or the recipient’s immediate family.

6 **SECTION 2.** ORS 161.005 is amended to read:

7 161.005. ORS 161.005 to 161.055, 161.065, 161.085 to 161.125, 161.150 to 161.175, 161.190 to
8 161.275, 161.290 to 161.373, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705
9 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,
10 162.405 to 162.425, 162.465, 163.005, 163.095, 163.107, 163.115, 163.125 to 163.145, 163.149, 163.160 to
11 163.208, 163.191, 163.196, 163.215 to 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285,
12 163.305 to 163.467, 163.429, 163.432, 163.433, 163.472, 163.505 to 163.575, 163.665 to 163.693, 163.700,
13 163.701, 163.715, 164.005, 164.015 to 164.135, 164.138, 164.140, 164.205 to 164.270, 164.305 to 164.377,
14 164.395 to 164.415, 164.805, 164.857, 164.886, 165.002 to 165.102, 165.109, 165.118, 165.805, 165.815,
15 166.005 to 166.095, 166.119, 166.125, 166.128, 166.350, 166.382, 166.384, 166.660, 167.002 to 167.027,
16 167.057, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340, 167.350,
17 167.810 and 167.820 **and section 1 of this 2025 Act** shall be known and may be cited as Oregon
18 Criminal Code of 1971.

19 **SECTION 3.** This 2025 Act being necessary for the immediate preservation of the public
20 peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect
21 on its passage.
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