

A-Engrossed Senate Bill 170

Ordered by the Senate March 10
Including Senate Amendments dated March 10

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Judiciary)

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 makes assault in the fourth degree more serious when the victim is at work and the assailant assaulted others at work. (Flesch Readability Score: 62.1).

[Digest: The Act directs the CJC to study assaults in the workplace. (Flesch Readability Score: 80.3).]

[Requires the Oregon Criminal Justice Commission to study workplace assault convictions and sentences. Directs the commission to submit findings to the interim committees of the Legislative Assembly related to the judiciary not later than September 15, 2026.]

[Sunsets on January 2, 2027.]

Increases the offense level of assault in the fourth degree when the defendant commits the assault against a victim performing official duties as part of the victim's employment and has certain prior convictions for assault in the workplace. Punishes by a maximum of five years' imprisonment, \$125,000 fine, or both.

A BILL FOR AN ACT

1
2 Relating to assaults in the workplace; amending ORS 163.160.

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

4 **SECTION 1.** ORS 163.160 is amended to read:

5 163.160. (1) A person commits the crime of assault in the fourth degree if the person:

6 (a) Intentionally, knowingly or recklessly causes physical injury to another;

7 (b) With criminal negligence causes physical injury to another by means of a deadly weapon;

8 or

9 (c) With criminal negligence causes serious physical injury to another who is a vulnerable user
10 of a public way, as defined in ORS 801.608, by means of a motor vehicle.

11 (2) Assault in the fourth degree is a Class A misdemeanor.

12 (3) Notwithstanding subsection (2) of this section, assault in the fourth degree under subsection
13 (1)(a) or (b) of this section is a Class C felony if the person commits the crime of assault in the
14 fourth degree and:

15 (a) The assault is committed in the immediate presence of, or is witnessed by, the person's or
16 the victim's minor child or stepchild or a minor child residing within the household of the person
17 or victim;

18 (b) The person has been previously convicted of violating this section or ORS 163.165, 163.175,
19 163.185, 163.187 or 163.190, or of committing an equivalent crime in another jurisdiction, and the
20 victim in the previous conviction is the same person who is the victim of the current crime;

21 (c) The person has at least three previous convictions for violating this section or ORS 163.165,

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.

1 163.175, 163.185, 163.187 or 163.190 or for committing an equivalent crime in another jurisdiction, in
2 any combination; [or]

3 (d) The person commits the assault knowing that the victim is pregnant[.]; **or**

4 **(e)(A) The assault is committed against a victim who is performing official duties as part**
5 **of the victim's employment; and**

6 **(B) The person has two or more previous convictions for violating this section or ORS**
7 **163.165, 163.175 or 163.185, or for committing an equivalent crime in another jurisdiction, in**
8 **any combination, and at least two of the previous assaults were committed against a victim**
9 **who was performing official duties as part of the victim's employment.**

10 (4) If a person is convicted of misdemeanor assault in the fourth degree constituting domestic
11 violence as an element of the crime as described ORS 132.586, the court shall ensure that the
12 judgment document reflects that the conviction constitutes domestic violence.

13 (5) For purposes of subsection (3) of this section, an assault is witnessed if the assault is seen
14 or directly perceived in any other manner by the child.

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