

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 64

By COMMITTEE ON JUDICIARY

June 6

1 On page 1 of the printed A-engrossed bill, line 2, after the semicolon insert “creating new pro-
2 visions; and”.

3 Delete lines 6 through 17.

4 After line 18, insert:

5 **“SECTION 1. (1) The Legislative Assembly finds that:**

6 **“(a) The current Oregon Criminal Code was written in 1971 and included the defined term**
7 **‘mental disease or defect’;**

8 **“(b) The term ‘mental disease or defect’ has origins in mid-19th century English common**
9 **law;**

10 **“(c) The term ‘mental disease or defect’ may carry a negative connotation;**

11 **“(d) The meaning of the term ‘mental disease or defect’ has been interpreted in multiple**
12 **court decisions since enactment into law; and**

13 **“(e) It is necessary to replace the term ‘mental disease or defect’ with a new term while**
14 **preserving the validity of all previous court decisions interpreting or otherwise involving the**
15 **term ‘mental disease or defect.’**

16 **“(2) In consequence of the findings described in subsection (1) of this section, the purpose**
17 **of this 2017 Act is to replace the term ‘mental disease or defect’ with the term ‘qualifying**
18 **mental disorder’ and to retain the meaning of the replaced term, without making a sub-**
19 **stantive change to Oregon law.”.**

20 In line 19, delete “1” and insert “1a”.
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