81st OREGON LEGISLATIVE ASSEMBLY--2021 Regular Session

House Bill 3164
Sponsored by Representative KOTEK (at the request of American Civil Liberties Union of Oregon)

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.

Modifies crime of interfering with a peace officer or parole and probation officer. Provides that person may not be arrested for or charged with interfering with a peace officer or parole and probation officer for conduct that would constitute any other criminal offense.

A BILL FOR AN ACT

Relating to the application of the crime of interfering with a peace officer or parole and probation officer; creating new provisions; and amending ORS 162.247.

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

SECTION 1. ORS 162.247 is amended to read:

162.247. (1) A person commits the crime of interfering with a peace officer or parole and probation officer if the person, knowing that another person is a peace officer or a parole and probation officer as defined in ORS 181A.355:

(a) Intentionally acts in a manner that prevents, or attempts to prevent, a peace officer or parole and probation officer from performing the lawful duties of the officer with regards to another person; or

(b) By overt action, refuses to obey a lawful order by the peace officer or parole and probation officer that is necessary for the officer's performance of lawful duties with regard to another person or a criminal investigation.

(2) Interfering with a peace officer or parole and probation officer is a Class A misdemeanor.

(3) This section does not apply in situations in which the person is engaging in:

[(a) Activity that would constitute resisting arrest under ORS 162.315; or]

[(b)] passive resistance.

(4) A person may not be arrested or charged under this section for conduct that would constitute any other criminal offense.

SECTION 2. The amendments to ORS 162.247 by section 1 of this 2021 Act apply to conduct alleged to constitute an offense under ORS 162.247 occurring on or after the effective date of this 2021 Act.

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.

LC 2110