Enrolled
Senate Bill 613

Sponsored by COMMITTEE ON JUDICIARY

CHAPTER .....

AN ACT

Relating to sports events; creating new provisions; and amending ORS 161.067.

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

SECTION 1. As used in sections 2 and 3 of this 2003 Act:

(1) "Coach" means a person who instructs or trains members of a team or directs the strategy of a team participating in a sports event.

(2) "Inappropriate behavior" means:

(a) Engaging in fighting or in violent, tumultuous or threatening behavior;

(b) Violating the rules of conduct governing coaches, team players and spectators at a sports event;

(c) Publicly insulting another person by abusive words or gestures in a manner intended to provoke a violent response; or

(d) Intentionally subjecting another person to offensive physical contact.

(3) "Premises" has the meaning given that term in ORS 164.205.

(4) "Spectator" means any person, other than a team player or coach, who attends a sports event.

(5) "Sports official" has the meaning given that term in ORS 30.882.

SECTION 2. A sports official may order a coach, team player or spectator to leave the premises at which a sports event is taking place and at which the sports official is officiating if the coach, team player or spectator is engaging in inappropriate behavior.

SECTION 3. (1) A person commits the crime of criminal trespass at a sports event if the person:

(a) Is a coach, team player or spectator at a sports event;

(b) Engages in inappropriate behavior;

(c) Has been ordered by a sports official to leave the premises at which the sports event is taking place; and

(d) Fails to leave the premises or returns to the premises during the period of time when reentry has been prohibited.

(2) Criminal trespass at a sports event is a Class C misdemeanor.

SECTION 4. ORS 161.067 is amended to read:

161.067. (1) When the same conduct or criminal episode violates two or more statutory provisions and each provision requires proof of an element that the others do not, there are as many separately punishable offenses as there are separate statutory violations.

(2) When the same conduct or criminal episode, though violating only one statutory provision involves two or more victims, there are as many separately punishable offenses as there are victims.

However, two or more persons owning joint interests in real or personal property shall be considered a single victim for purposes of determining the number of separately punishable offenses if the property is the subject of one of the following crimes:

(a) Theft as defined in ORS 164.015.

(b) Unauthorized use of a vehicle as defined in ORS 164.135.

(c) Criminal possession of rented or leased personal property as defined in ORS 164.140.

(d) Burglary as defined in ORS 164.215 or 164.225.

(e) Criminal trespass as defined in ORS 164.243, 164.245, 164.255 or 164.265 **or section 3 of this 2003 Act**.

(f) Arson and related offenses as defined in ORS 164.315, 164.325 or 164.335.

(g) Forgery and related offenses as defined in ORS 165.002 to 165.070.

(3) When the same conduct or criminal episode violates only one statutory provision and involves only one victim, but nevertheless involves repeated violations of the same statutory provision against the same victim, there are as many separately punishable offenses as there are violations, except that each violation, to be separately punishable under this subsection, must be separated from other such violations by a sufficient pause in the defendant's criminal conduct to afford the defendant an opportunity to renounce the criminal intent. Each method of engaging in deviate sexual intercourse as defined in ORS 163.305, and each method of engaging in unlawful sexual penetration as defined in ORS 163.408 and 163.411 shall constitute separate violations of their respective statutory provisions for purposes of determining the number of statutory violations.

Passed by Senate May 30, 2003

Repassed by Senate July 22, 2003

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Secretary of Senate

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President of Senate

Passed by House July 15, 2003

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Speaker of House

Received by Governor:

.....M.,....., 2003

Approved:

.....M.,....., 2003

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Governor

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.....M.,....., 2003

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Secretary of State