

House Bill 3441

Sponsored by Representative SOLLMAN; Representatives BARNHART, GREENLICK, KENY-GUYER, LIVELY, MALSTROM, MCLAIN, PILUSO, VIAL, Senator HASS

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**.

Creates crime of unlawful possession of prohibited container on public beach. Punishes by maximum of 30 days' imprisonment, \$1,250 fine, or both.

A BILL FOR AN ACT

1
2 Relating to prohibited activities on public beaches; creating new provisions; and amending ORS
3 161.005.

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

5 **SECTION 1. (1) A person commits the crime of unlawful possession of a prohibited con-**
6 **tainer on a public beach if the person knowingly does any of the following on a public beach**
7 **in this state:**

8 (a) **Possesses or discards an alcohol container or any glass bottle designed to contain a**
9 **drink or beverage.**

10 (b) **Possesses or consumes an alcoholic beverage.**

11 (2) **Unlawful possession of a prohibited container on a public beach is a Class C**
12 **misdemeanor.**

13 (3) **As used in this section:**

14 (a) **"Alcohol container" means a glass bottle, can or any other receptacle containing or**
15 **designed to contain an alcoholic beverage.**

16 (b) **"Alcoholic beverage" has the meaning given that term in ORS 471.001.**

17 **SECTION 2. ORS 161.005, as amended by section 4, chapter 22, Oregon Laws 2016, is amended**
18 **to read:**

19 161.005. ORS 161.005 to 161.055, 161.085 to 161.125, 161.150 to 161.175, 161.190 to 161.275, 161.290
20 to 161.370, 161.405 to 161.485, 161.505 to 161.585, 161.605, 161.615 to 161.685, 161.705 to 161.737,
21 162.005, 162.015 to 162.035, 162.055 to 162.115, 162.135 to 162.205, 162.225 to 162.375, 162.405 to
22 162.425, 162.465, 163.005, 163.115, 163.125 to 163.145, 163.149, 163.160 to 163.208, 163.196, 163.215 to
23 163.257, 163.261, 163.263, 163.264, 163.266, 163.275, 163.285, 163.305 to 163.467, 163.432, 163.433,
24 163.472, 163.505 to 163.575, 163.665 to 163.693, 163.700, 163.701, 164.005, 164.015 to 164.135, 164.138,
25 164.140, 164.205 to 164.270, 164.305 to 164.377, 164.395 to 164.415, 164.805, 164.857, 164.886, 165.002
26 to 165.102, 165.109, 165.118, 165.805, 166.005 to 166.095, 166.350, 166.382, 166.384, 166.660, 167.002 to
27 167.027, 167.057, 167.060 to 167.100, 167.117, 167.122 to 167.162, 167.203 to 167.252, 167.310 to 167.340,
28 167.350, 167.810 and 167.820 and section 1, chapter 22, Oregon Laws 2016, **and section 1 of this 2017**
29 **Act** shall be known and may be cited as Oregon Criminal Code of 1971.

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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.