

House Bill 3381

Sponsored by Representative WITT, Senator SHIELDS

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**.

Requires trial judge to inform jury of power to acquit. Requires trial judge to inform jury of certain mandatory sentences.

A BILL FOR AN ACT

1
2 Relating to jury nullification; creating new provisions; and amending ORS 136.325.

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

4 **SECTION 1. During a criminal jury trial in which a defendant is charged with an offense**
5 **described in ORS 137.700 or 137.707, before the jury begins deliberations, the court shall:**

6 (1) **Inform the jury of any sentence that the court is required to impose if the defendant**
7 **is convicted of the offense described in ORS 137.700 or 137.707; and**

8 (2) **Instruct the jury as follows: "As jurors, if you feel that a conviction would not be a**
9 **fair or just result in this case, it is within your power to find the defendant not guilty."**

10 **SECTION 2. ORS 136.325 is amended to read:**

11 136.325. Except as required in ORS 161.313 and 163.150 **and section 1 of this 2015 Act**, the jury
12 in a criminal proceeding may not be informed of, and may not consider, any punishment that the
13 court may impose if the defendant is convicted of the charge.

14 **SECTION 3. Section 1 of this 2015 Act and the amendments to ORS 136.325 by section 2**
15 **of this 2015 Act apply to trials for crimes committed on or after the effective date of this**
16 **2015 Act.**

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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.