

See: Minutes of Subcommittee No. 1
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Tapes #16 & 17

CRIMINAL LAW REVISION COMMISSION
309 Capitol Building
Salem, Oregon

ARTICLE 16 . ARSON AND RECKLESS BURNING

Preliminary Draft No. 2; August 1968

Reporter: Donald L. Paillette

Subcommittee No. 1

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Section 1. Arson and reckless burning; definitions. As used in _____, except as the context may require otherwise:

(1) "Building," in addition to its ordinary meaning, includes any structure, vehicle, boat, or aircraft adapted for overnight accommodation of persons or for carrying on business therein. Where a building consists of separate apartments, offices or rented rooms, each unit is, in addition to being a part of such building, a separate building.

(2) "Building of another" or "property of another" means a building or property in which anyone other than the actor has a possessory or proprietary interest.

(3) "Forest land" means any forested land, woodland, brushland, timberland, cutover land or clearing.

Section 2. Negligent burning. A person commits the crime of negligent burning if he negligently damages property of another by:

(1) Permitting fire to escape from land in his custody or control; or

(2) Accidentally starting a fire on land of another and failing to make every reasonable effort to put out or control the fire.

Section 3. Reckless burning. A person commits the crime of reckless burning if he recklessly damages property of another by fire or explosion.

Section 4. Arson in the second degree. A person commits the crime of arson in the second degree if, by starting a fire or causing an explosion, he intentionally damages:

- (1) Forest land of another; or
- (2) Any property, whether his own or another's, and such act recklessly places another person in danger of bodily injury or a building of another in danger of damage.

Section 5. Arson in the first degree. A person commits the crime of arson in the first degree if, by starting a fire or causing an explosion, he intentionally damages:

- (1) A building of another; or
- (2) Any property, whether his own or another's, and such act recklessly causes bodily injury to another person (or damage to a building of another.)

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