

Enrolled
House Bill 2667

Sponsored by Representative BERGER; Representatives BARKER, ESQUIVEL, HUNT, KITTS, KROPF, OLSON, ROBLAN, ROSENBAUM, SUMNER, WHISNANT (at the request of Statewide Sex Offender Supervision Network)

CHAPTER

AN ACT

Relating to sex crimes; amending ORS 181.594.

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

SECTION 1. ORS 181.594 is amended to read:

181.594. As used in ORS 181.595, 181.596, 181.597 and 181.603:

(1)(a) "Correctional facility" means any place used for the confinement of persons:

(A) Charged with or convicted of a crime or otherwise confined under a court order.

(B) Found to be within the jurisdiction of the juvenile court for having committed an act that if committed by an adult would constitute a crime.

(b) "Correctional facility" applies to a state hospital only as to persons detained therein charged with or convicted of a crime, or detained therein after being found guilty except for insanity under ORS 161.290 to 161.370.

(2) "Sex crime" means:

(a) Rape in any degree;

(b) Sodomy in any degree;

(c) Unlawful sexual penetration in any degree;

(d) Sexual abuse in any degree;

(e) Incest with a child victim;

(f) Using a child in a display of sexually explicit conduct;

(g) Encouraging child sexual abuse in any degree;

(h) Transporting child pornography into the state (1993 Edition);

(i) Paying for viewing a child's sexually explicit conduct (1993 Edition);

(j) Compelling prostitution;

(k) Promoting prostitution;

(L) Kidnapping in the first degree if the victim was under 18 years of age;

(m) Contributing to the sexual delinquency of a minor;

(n) Sexual misconduct if the offender is at least 18 years of age;

(o) Possession of materials depicting sexually explicit conduct of a child in the first degree;

(p) Kidnapping in the second degree if the victim was under 18 years of age, except by a parent or by a person found to be within the jurisdiction of the juvenile court;

(q) Any attempt to commit any of the crimes set forth in paragraphs (a) to (p) of this subsection;

(r) Burglary, when committed with intent to commit any of the offenses listed in paragraphs (a) to (p) or (s) of this subsection; or

(s) Public indecency or private indecency, if the person has a prior conviction for a crime listed in [paragraphs (a) to (r) of] this subsection.

(3) "Sex offender" means a person who:

(a) Has been convicted of a sex crime;

(b) Has been found guilty except for insanity of a sex crime;

(c) Has been found to be within the jurisdiction of the juvenile court for having committed an act that if committed by an adult would constitute a sex crime; or

(d) Is paroled to this state under ORS 144.610 after being convicted in another jurisdiction of a crime that would constitute a sex crime if committed in this state.

Passed by House March 29, 2005

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Chief Clerk of House

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Speaker of House

Passed by Senate June 22, 2005

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President of Senate

Received by Governor:

.....M,....., 2005

Approved:

.....M,....., 2005

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Governor

Filed in Office of Secretary of State:

.....M,....., 2005

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Secretary of State