

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)

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**.

Expands definition of "sex crime" to include public or private indecency, if person convicted has prior conviction for public or private indecency.

A BILL FOR AN ACT

1
2 Relating to sex crimes; amending ORS 181.594.

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

4 **SECTION 1.** ORS 181.594 is amended to read:

5 181.594. As used in ORS 181.595, 181.596, 181.597 and 181.603:

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

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

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

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

13 (2) "Sex crime" means:

14 (a) Rape in any degree;

15 (b) Sodomy in any degree;

16 (c) Unlawful sexual penetration in any degree;

17 (d) Sexual abuse in any degree;

18 (e) Incest with a child victim;

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

20 (g) Encouraging child sexual abuse in any degree;

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

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

23 (j) Compelling prostitution;

24 (k) Promoting prostitution;

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

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

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

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

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

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.

- 1 (q) Any attempt to commit any of the crimes set forth in paragraphs (a) to (p) of this subsection;
2 (r) Burglary, when committed with intent to commit any of the offenses listed in paragraphs (a)
3 to (p) or (s) of this subsection; or
4 (s) Public indecency or private indecency, if the person has a prior conviction for a crime listed
5 in [*paragraphs (a) to (r) of*] this subsection.
6 (3) "Sex offender" means a person who:
7 (a) Has been convicted of a sex crime;
8 (b) Has been found guilty except for insanity of a sex crime;
9 (c) Has been found to be within the jurisdiction of the juvenile court for having committed an
10 act that if committed by an adult would constitute a sex crime; or
11 (d) Is paroled to this state under ORS 144.610 after being convicted in another jurisdiction of a
12 crime that would constitute a sex crime if committed in this state.
13 _____