

A-Engrossed
Senate Bill 1067

Ordered by the House July 27
Including House Amendments dated July 27

Sponsored by COMMITTEE ON RULES

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.

Expands crime of telephonic harassment. **Creates affirmative defense for debt collector who is attempting to collect debt.**

A BILL FOR AN ACT

1
2 Relating to telephonic harassment; amending ORS 166.090.

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

4 **SECTION 1.** ORS 166.090 is amended to read:

5 166.090. (1) A telephone caller commits the crime of telephonic harassment if the caller inten-
6 tionally harasses or annoys another person:

7 (a) By causing the telephone of the other person to ring, such caller having no communicative
8 purpose; [*or*]

9 (b) By causing such other person's telephone to ring, knowing that the caller has been forbidden
10 from so doing by a person exercising lawful authority over the receiving telephone; **or**

11 (c) **By sending to, or leaving at, the other person's telephone a text message, voice mail**
12 **or any other message, knowing that the caller has been forbidden from so doing by a person**
13 **exercising lawful authority over the receiving telephone.**

14 (2) Telephonic harassment is a Class B misdemeanor.

15 (3) **It is an affirmative defense to a charge of violating subsection (1) of this section that**
16 **the caller is a debt collector, as defined in ORS 646.639, who engaged in the conduct pro-**
17 **scribed by subsection (1) of this section while attempting to collect a debt. The affirmative**
18 **defense created by this subsection does not apply if the debt collector committed the un-**
19 **lawful collection practice described in ORS 646.639 (2)(a) while engaged in the conduct pro-**
20 **scribed by subsection (1) of this section.**

21

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.