

Enrolled
Senate Bill 1067

Sponsored by COMMITTEE ON RULES

CHAPTER

AN ACT

Relating to telephonic harassment; amending ORS 166.090.

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

SECTION 1. ORS 166.090 is amended to read:

166.090. (1) A telephone caller commits the crime of telephonic harassment if the caller intentionally harasses or annoys another person:

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

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

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

(2) Telephonic harassment is a Class B misdemeanor.

(3) It is an affirmative defense to a charge of violating subsection (1) of this section that the caller is a debt collector, as defined in ORS 646.639, who engaged in the conduct proscribed by subsection (1) of this section while attempting to collect a debt. The affirmative defense created by this subsection does not apply if the debt collector committed the unlawful collection practice described in ORS 646.639 (2)(a) while engaged in the conduct proscribed by subsection (1) of this section.

Passed by Senate July 1, 2005

Repassed by Senate July 30, 2005

.....
Secretary of Senate

.....
President of Senate

Passed by House July 28, 2005

.....
Speaker of House

Received by Governor:

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

Approved:

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

.....
Governor

Filed in Office of Secretary of State:

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

.....
Secretary of State