

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

Action:	Do Pass as Amended and Be Printed Engrossed and Rescind the Subsequent Referral to the Committee on Ways and Means
Vote:	8 - 0 - 1
Yeas:	Bonamici, Cameron, Flores, Komp, Krieger, Read, Whisnant, Macpherson
Nays:	0
Exc.:	Barker
Prepared By:	Darian Stanford, Counsel
Meeting Dates:	4/6, 4/27

WHAT THE MEASURE DOES: Creates crimes of online sexual corruption of a child in the first and second degrees (Class B felony and Class C felony).

ISSUES DISCUSSED:

- Nature and extent of problem as discussed at Aloha High School road hearing

EFFECT OF COMMITTEE AMENDMENT: Clarifies that victim must be 15 or younger. Eliminates mere act of sending sexually explicit material to child for second degree corruption—requires solicitation as defined in statute.

BACKGROUND: HB 3515 A arises out of the Aloha High School public hearing on "Preventing Internet Predators." It creates two new crimes: online sexual corruption of a child in the second and first degrees.

Online sexual corruption of a child (under age 16) in the second degree involves the following elements: (1) a defendant age 18 years or older, (2) for the purpose of arousing the sexual desires of the defendant or another person, (3) knowingly uses an online communication, and (4) to solicit a child to engage in sexual contact or sexually explicit conduct. "Sexual contact" and "sexually explicit conduct" have the same definitions as existing Oregon law. There is no defense if the "child" is actually a law enforcement officer or someone working at the direction of a law enforcement officer.

Online sexual corruption of a child in the first degree involves: (1) second degree online sexual corruption, plus (2) taking a substantial step toward physically meeting with or encountering the child. Again, there is no defense if the "child" is actually a law enforcement officer or someone working at the direction of a law enforcement officer.

Both first and second degree online sexual corruption are registerable sex offenses.