

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass
Vote: 5 - 0 - 0
Yeas: Beyer, Kruse, Prozanski, Walker, Burdick
Nays: 0
Exc.: 0
Prepared By: Darian Stanford, Counsel
Meeting Dates: 4/24

WHAT THE MEASURE DOES: Creates felony (can be Class A, B or C depending on circumstances) of sexual solicitation of minor.

ISSUES DISCUSSED:

- Significance and extent of problem as demonstrated by programs such as Dateline NBC's "To Catch a Predator"

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: SB 473 creates the Class C felony of sexual solicitation of a minor. The elements of the offense are: (1) defendant knowingly solicits (2) a minor (defined as if defendant believes person under 18, so decoys count) (3) to engage in sexual contact or sexually explicit conduct. The term "solicit" is defined as "to authorize, advise, coerce, command, encourage, entice, induce, invite, persuade or otherwise request." The terms "sexual contact" and "sexually explicit conduct" are defined under existing Oregon law.

If the victim was under 14 (or the defendant believed the victim was under 14), the offense is a Class B felony. If the victim was under 12 (or the defendant reasonably believed the victim was under 12), the offense is Class A felony.

SB 473 also places the offense of sexual solicitation within various provisions of Oregon law relating to forfeiture, statutes of limitation, etc.