

**A-Engrossed**  
**House Bill 2333**

Ordered by the House April 6  
Including House Amendments dated April 6

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of House Interim Committee on Judiciary)

**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.

Relieves persons convicted of certain sex offenses who have no prior sex offense convictions, and who are less than [10] five years older than victim, of duty to report as sex offender if victim's lack of consent was based solely on age.

**A BILL FOR AN ACT**

1  
2 Relating to sex offender reporting.

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

4 **SECTION 1. A person otherwise required to report under ORS 181.595, 181.596 or 181.597**  
5 **is not required to report, and if currently reporting is no longer required to report, if:**

6 (1)(a) **The person has been convicted of:**

7 (A) **Rape in the third degree as defined in ORS 163.355;**

8 (B) **Sodomy in the third degree as defined in ORS 163.385;**

9 (C) **Sexual abuse in the third degree as defined in ORS 163.415;**

10 (D) **Contributing to the sexual delinquency of a minor as defined in ORS 163.435;**

11 (E) **Sexual misconduct as defined in ORS 163.445; or**

12 (F) **An attempt to commit an offense listed in subparagraphs (A) to (E) of this paragraph;**

13 (b) **The person has been found guilty except for insanity of an offense listed in paragraph**  
14 **(a) of this subsection;**

15 (c) **The person has been found to be within the jurisdiction of the juvenile court for**  
16 **having committed an act that if committed by an adult would constitute an offense listed in**  
17 **paragraph (a) of this subsection; or**

18 (d) **The person is paroled to this state under ORS 144.610 after being convicted in another**  
19 **jurisdiction of a crime that would constitute an offense listed in paragraph (a) of this sub-**  
20 **section; and**

21 (2)(a) **The person is less than five years older than the victim;**

22 (b) **The victim's lack of consent was due solely to incapacity to consent by reason of be-**  
23 **ing less than a specified age;**

24 (c) **At the time of the offense, the person had no prior conviction or adjudication for an**  
25 **offense, or for conduct in another jurisdiction that if committed in this state would consti-**  
26 **tute an offense, listed in ORS 181.594 (4); and**

27 (d) **The victim was at least 14 years of age at the time of the offense.**

**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        **SECTION 2. Section 1 of this 2007 Act applies to a person convicted of or adjudicated for**  
2        **an offense before, on or after the effective date of this 2007 Act.**  
3        \_\_\_\_\_