

# House Bill 2335

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

## 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 **as introduced**.

Allows in criminal case admission of evidence that defendant committed, or attempted to commit, one or more sex crimes in addition to sex crime, or attempted sex crime, defendant is being charged with in criminal case.

## A BILL FOR AN ACT

1  
2 Relating to evidence.

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

4 **SECTION 1. Section 2 of this 2007 Act is added to and made a part of ORS 40.310 to 40.585.**

5 **SECTION 2. (1) As used in this section, "sex crime" has the meaning given that term in**  
6 **ORS 181.594.**

7 **(2) In a criminal case in which the defendant is charged with a sex crime, or is charged**  
8 **with attempting to commit a sex crime, evidence that the defendant committed, or at-**  
9 **tempted to commit, one or more other sex crimes is admissible and may be considered by**  
10 **the fact finder in deciding any matter to which the evidence is relevant.**

11 **(3) Before offering evidence under this section, the prosecuting attorney must disclose**  
12 **the evidence to the defendant at least 15 days before the scheduled date of trial or hearing,**  
13 **or at such later time as the court may allow for good cause. The disclosure must include**  
14 **written statements of witnesses or a summary of the substance of any testimony that the**  
15 **state expects to offer at trial.**

16 **(4) This section does not limit the admission or consideration of evidence of other crimes,**  
17 **wrongs or acts under ORS 40.170 or other provisions of law.**

18 **SECTION 3. Section 2 of this 2007 Act applies only to criminal proceedings commenced**  
19 **by the issuance of a charging instrument on or after the effective date of this 2007 Act.**  
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**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.