

# Senate Bill 681

Sponsored by Senator PROZANSKI (at the request of Daniel Amesbury)

## 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**.

Prohibits, in criminal action, copying or dissemination of recording of sexually explicit conduct involving child. Requires district attorney to provide defendant reasonable opportunity for defendant to examine and view recording.

## A BILL FOR AN ACT

1  
2 Relating to disclosure of recording of sexually explicit conduct.

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 135.805 to**  
5 **135.873.**

6 **SECTION 2. (1) The district attorney or the trial court shall retain care, custody and**  
7 **control of any visual recording of sexually explicit conduct involving a child.**

8 **(2) Notwithstanding ORS 135.805, the trial court shall deny a request by a defendant to**  
9 **copy or disseminate any visual recording of sexually explicit conduct involving a child, pro-**  
10 **vided that the district attorney makes the recording reasonably available to the defendant.**  
11 **The district attorney shall provide reasonable opportunity for examination and viewing of the**  
12 **recording by the defendant, the defendant's lawyer and any person that the defendant may**  
13 **seek to call as an expert witness at trial.**

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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.