

# Senate Bill 935

Sponsored by Senator MONROE; Senators BATES, G GEORGE, MORSE, PROZANSKI, STARR, Representatives BRUUN, BUTLER, KOMP, KRIEGER, NELSON, SCHAUFLER, THATCHER, WHISNANT (at the request of Sonja Harju)

## 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**.

Expands crime of possession of materials depicting sexually explicit conduct of child to include clothed child.

## A BILL FOR AN ACT

1  
2 Relating to possession of materials depicting sexually explicit conduct of a child; amending ORS  
3 163.688 and 163.689.

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

5 **SECTION 1.** ORS 163.688 is amended to read:

6 163.688. (1) A person commits the crime of possession of materials depicting sexually explicit  
7 conduct of a child in the first degree if the person:

8 (a) Knowingly possesses any visual depiction of sexually explicit conduct involving a child, **in-**  
9 **cluding a clothed child**, or any visual depiction of sexually explicit conduct that appears to involve  
10 a child, **including a clothed child**; and

11 (b) Uses the visual depiction to induce a child to participate or engage in sexually explicit  
12 conduct.

13 (2) Possession of materials depicting sexually explicit conduct of a child in the first degree is a  
14 Class B felony.

15 **SECTION 2.** ORS 163.689 is amended to read:

16 163.689. (1) A person commits the crime of possession of materials depicting sexually explicit  
17 conduct of a child in the second degree if the person:

18 (a) Knowingly possesses any visual depiction of sexually explicit conduct involving a child, **in-**  
19 **cluding a clothed child**, or any visual depiction of sexually explicit conduct that appears to involve  
20 a child, **including a clothed child**; and

21 (b) Intends to use the visual depiction to induce a child to participate or engage in sexually  
22 explicit conduct.

23 (2) Possession of materials depicting sexually explicit conduct of a child in the second degree  
24 is a Class C felony.

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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.