

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass the A-Engrossed Measure
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Bonamici, Boquist, Dingfelder, Whitsett, Prozanski
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Shannon Sivell, Counsel
<b>Meeting Dates:</b>	5/7

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**WHAT THE MEASURE DOES:** Narrows class of offenders eligible for relief from reporting requirement to those persons with no more than one conviction listed under ORS 181.830 (1). Specifies that a person who is convicted of more than one offense under ORS 181.830 (1) may be eligible for relief if convictions involve the same victim and, at the time offenses were committed, defendant did not have any prior convictions for sex offenses.

**ISSUES DISCUSSED:**

- Targeting serious offenders
- Provisions of the measure

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** ORS 181.830 (1) was enacted in HB 2333 (2007). As currently written, it allows for a person with no prior convictions who is convicted of multiple counts listed 181.830 (1) to apply for relief from registering as a sex offender. There are two scenarios that could end with this result: 1) an offender was convicted of multiple offenses stemming from one incident; or, 2) a person committed multiple offenses over a period of time and was not convicted until a later date. In both situations the court would be confronted with a person who is eligible for relief under the statute because at the time of the offenses the person did not have a prior conviction. However, it is unclear which meaning is correct. HB 2173A provides that if an offender has more than one conviction listed under 181.830 (1), he or she is not eligible to apply for relief.