

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended, Be Printed Engrossed and Be Referred to the Committee on Ways and Means by Prior Reference
Vote:	10 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Krieger, Olson, Shields, Smith J., Stiegler, Whisnant, Barker
Nays:	0
Exc.:	0
Prepared By:	Shannon Sivell, Counsel
Meeting Dates:	2/24, 4/23

WHAT THE MEASURE DOES: Elevates crime of invasion of privacy to a Class C felony. Modifies list of crimes considered “sex crimes” by adding invasion of privacy. Clarifies definition of nudity. Requires offender over the age of 18, convicted of invasion of privacy under ORS 163.700 (1)(b) to register as a sex offender. Provides that first offense, if committed by a minor, is a Class A misdemeanor.

ISSUES DISCUSSED:

- Various specific cases
- Unintended consequences of including “post-pubescent” language in the statute
- Protecting children
- Sex offender registration

EFFECT OF COMMITTEE AMENDMENT: Requires offender over the age of 18, convicted of invasion of privacy under ORS 163.700 (1)(b) to register as a sex offender. Provides that first offense, if committed by a minor, is a Class A misdemeanor.

BACKGROUND: This bill would make a conviction for invasion of privacy a Class C felony and require a defendant, age 18 or older, to register as a sex offender if found guilty under ORS 163.700(1)(b). This bill also clarifies the definition of nudity to include any uncovered or less than opaquely covered part of a person’s genitals or female breast. In changing the definition, the measure removes the requirement that the victim be “post-pubescent.” Under current statute, a person could not be convicted of invasion of privacy if the victim is a pre-pubescent child.