

B-Engrossed
House Bill 2478

Ordered by the Senate June 1
Including House Amendments dated April 2 and Senate Amendments
dated June 1

Sponsored by Representatives BRUUN, BARKER; Representatives BARTON, D EDWARDS, GELSER, THOMPSON,
WINGARD

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.

Modifies crime of sexual abuse in [*second*] **third** degree to include intentionally propelling dangerous substance at another person for purpose of arousing or gratifying sexual desire.

A BILL FOR AN ACT

1
2 Relating to bodily fluids; creating new provisions; and amending ORS 163.415.

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

4 **SECTION 1.** ORS 163.415 is amended to read:

5 163.415. (1) A person commits the crime of sexual abuse in the third degree if:

6 (a) The person subjects another person to sexual contact and:

7 [(a)] (A) The victim does not consent to the sexual contact; or

8 [(b)] (B) The victim is incapable of consent by reason of being under 18 years of age[.]; or

9 (b) **For the purpose of arousing or gratifying the sexual desire of the person or another**
10 **person, the person intentionally propels any dangerous substance at a victim without the**
11 **consent of the victim.**

12 (2) Sexual abuse in the third degree is a Class A misdemeanor.

13 (3) **As used in this section, "dangerous substance" means blood, urine, semen or feces.**

14 **SECTION 2.** The amendments to ORS 163.415 by section 1 of this 2009 Act apply to con-
15 **duct occurring on or after the effective date of this 2009 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.