

**Enrolled**  
**House Bill 2478**

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

CHAPTER .....

AN ACT

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

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

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

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

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

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

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

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

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

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

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

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**Passed by House April 7, 2009**

**Repassed by House June 4, 2009**

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Chief Clerk of House

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Speaker of House

**Passed by Senate June 3, 2009**

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President of Senate

**Received by Governor:**

.....M,....., 2009

**Approved:**

.....M,....., 2009

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2009

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Secretary of State