

HOUSE AMENDMENTS TO A-ENGROSSED SENATE BILL 313

By COMMITTEE ON HUMAN SERVICES

June 4

1 On page 1 of the printed A-engrossed bill, delete lines 5 through 9 and insert:

2 “**SECTION 2.** (1) A parent may not be examined in a criminal action in which a child of the
3 parent is a defendant, or in any proceeding under ORS chapter 419C in which it is alleged that a
4 child of the parent is within the jurisdiction of the court, as to any communication made in confi-
5 dence by the child to the parent when the child is under 18 years of age. For the purposes of this
6 section, a communication is confidential when the communication is made out of the presence of all
7 persons other than one or more other children who are under 18 years of age who are living in the
8 same household.”

9 Delete lines 22 through 29 and insert:

10 “(4) The privilege created by this section does not apply to:

11 “(a) Any proceeding in which the child is charged with committing a crime, or is alleged to have
12 engaged in an act of delinquency, against the person or property of the parent to whom the com-
13 munication is made or of another child of either parent;

14 “(b) Any criminal action charging a person with a homicide, or any proceeding under ORS
15 chapter 419C in which it is alleged that a child engaged in conduct that would constitute a homicide
16 if committed by an adult; or

17 “(c) Any criminal action charging a person with a felony in which the alleged victim was
18 younger than seven years of age at the time the alleged felony occurred, or any proceeding under
19 ORS chapter 419C in which it is alleged that a child engaged in conduct that would constitute a
20 felony if committed by an adult and in which the alleged victim was younger than seven years of
21 age at the time the alleged conduct occurred.”

22 On page 2, delete lines 1 through 9.

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