

Senate Bill 444

Sponsored by COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

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 **as introduced**.

Prohibits member of collegiate athletic team from engaging in certain conduct that constitutes hazing. Punishes by maximum of \$360 fine.

A BILL FOR AN ACT

Relating to hazing; creating new provisions; and amending ORS 163.197.

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

SECTION 1. ORS 163.197 is amended to read:

163.197. *[(1)]* **(1)(a)** No fraternity, sorority or other student organization organized or operating on a college or university campus for purposes of participating in student activities of the college or university, nor any member of such an organization, shall intentionally haze any member, potential member or person pledged to be a member of the organization, as a condition or precondition of attaining membership in the organization or of attaining any office or status therein.

(b) A member of an athletic team of or within a college or university may not intentionally haze any member or potential member of the athletic team. It is a defense to a charge of violating this paragraph that the charged conduct is a reasonable component of athletic training or competition.

(2) Subsection (1)(a) of this section does not apply to curricular activities.

(3)(a) A fraternity, sorority or other student organization that violates subsection (1)(a) of this section commits a Class A violation.

(b) A member of a fraternity, sorority or other student organization who personally violates subsection (1)(a) of this section commits a Class B violation.

(c) A member of an athletic team who violates subsection (1)(b) of this section commits a Class B violation.

[(2)] **(4)** As used in this section, "haze" means to subject a person to bodily danger or physical harm or a likelihood of bodily danger or physical harm, or to require, encourage, authorize or permit that the person be subjected to any of the following:

(a) Calisthenics;

(b) Total or substantial nudity on the part of the person;

(c) Compelled ingestion of any substance by the person;

(d) Wearing or carrying of any obscene or physically burdensome article by the person;

(e) Physical assaults upon or offensive physical contact with the person;

(f) Participation by the person in boxing matches or other physical contests;

(g) Transportation and abandonment of the person;

(h) Confinement of the person to unreasonably small, unventilated, insanitary or unlighted areas;

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.

1 (i) Assignment of pranks to be performed by the person; or

2 (j) Compelled personal servitude by the person.

3 [(3) *Subsection (1) of this section does not apply to curricular activities or to athletic teams of or*
4 *within the college or university.*]

5 [(4) *A fraternity, sorority or other student organization that violates this section commits a Class*
6 *A violation.*]

7 [(5) *A member of a fraternity, sorority or other student organization, who personally violates this*
8 *section commits a Class B violation.*]

9 **SECTION 2. The amendments to ORS 163.197 by section 1 of this 2009 Act apply to con-**
10 **duct occurring on or after the effective date of this 2009 Act.**

11