

SENATE AMENDMENTS TO SENATE BILL 444

By COMMITTEE ON EDUCATION AND GENERAL GOVERNMENT

April 7

1 On page 1 of the printed bill, delete lines 4 through 31 and insert:

2 **“SECTION 1.** ORS 163.197 is amended to read:

3 **“163.197. (1) A student organization or a member of a student organization commits the**
4 **offense of hazing if, as a condition or precondition of attaining membership in the organiza-**
5 **tion or of attaining any office or status in the organization, the organization or member in-**
6 **tentionally hazes any member, potential member or person pledged to be a member of the**
7 **organization.**

8 **“(2)(a) A student organization that violates subsection (1) of this section commits a Class**
9 **A violation.**

10 **“(b) A member of a student organization who personally violates subsection (1) of this**
11 **section commits a Class B violation.**

12 **“(3) Consent of the person who is hazed is not a defense in a prosecution under this**
13 **section.**

14 **“(4) As used in this section:**

15 **“(a) ‘Haze’ means:**

16 **“(A) To subject an individual to whipping, beating, striking, branding or electronic**
17 **shocking, to place a harmful substance on an individual’s body or to subject an individual to**
18 **other similar forms of physical brutality;**

19 **“(B) To subject an individual to sleep deprivation, exposure to the elements, confinement**
20 **in a small space or other similar activity that subjects the individual to an unreasonable risk**
21 **of harm or adversely affects the physical health or safety of the individual;**

22 **“(C) To compel an individual to consume food, liquid, alcohol, controlled substances or**
23 **other substances that subject the individual to an unreasonable risk of harm or adversely**
24 **affect the physical health or safety of the individual; or**

25 **“(D) To induce, cause or require an individual to perform a duty or task that involves the**
26 **commission of a crime or an act of hazing.**

27 **“(b) ‘Member’ includes volunteers, coaches and faculty advisers of a student organiza-**
28 **tion.**

29 **“(c) ‘Student organization’ means a fraternity, sorority, athletic team or other organ-**
30 **ization that is organized or operating on a college, university or elementary or secondary**
31 **school campus for the purpose of providing members an opportunity to participate in student**
32 **activities of the college, university or elementary or secondary school.**

33 **“(1) *No fraternity, sorority or other student organization organized or operating on a college or***
34 ***university campus for purposes of participating in student activities of the college or university, nor any***
35 ***member of such an organization, shall intentionally haze any member, potential member or person***

1 pledged to be a member of the organization, as a condition or precondition of attaining membership in
2 the organization or of attaining any office or status therein.]

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

6 “[(a) Calisthenics;]

7 “[(b) Total or substantial nudity on the part of the person;]

8 “[(c) Compelled ingestion of any substance by the person;]

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

10 “[(e) Physical assaults upon or offensive physical contact with the person;]

11 “[(f) Participation by the person in boxing matches or other physical contests;]

12 “[(g) Transportation and abandonment of the person;]

13 “[(h) Confinement of the person to unreasonably small, unventilated, insanitary or unlighted
14 areas;]

15 “[(i) Assignment of pranks to be performed by the person; or]

16 “[(j) Compelled personal servitude by the person.]

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

19 “[(4) A fraternity, sorority or other student organization that violates this section commits a Class
20 A violation.]

21 “[(5) A member of a fraternity, sorority or other student organization, who personally violates this
22 section commits a Class B violation.]”.

23 On page 2, delete lines 1 through 8.
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