

# Senate Bill 672

Sponsored by Senator MONROE (at the request of Sonja Harju, Rita Noble, David Hain)

## 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**.

Creates statutory civil action against person for making false accusation of sexual abuse, stalking or kidnapping.

## A BILL FOR AN ACT

1  
2 Relating to false accusations.

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

4 **SECTION 1. (1) A person may bring a civil action under this section against another**  
5 **person for the making of a false accusation of sexual abuse, stalking or kidnapping. The**  
6 **plaintiff in an action under this section must prove that the defendant made one or more**  
7 **false accusations to a law enforcement agency that alleged that:**

8 (a) **The defendant was the victim of a sexual offense committed by the plaintiff;**

9 (b) **The plaintiff stalked the defendant; or**

10 (c) **The plaintiff kidnapped the defendant.**

11 (2) **The court shall award a prevailing plaintiff in an action under this section:**

12 (a) **All expenses incurred by the plaintiff in defending criminal proceedings arising out**  
13 **of the allegation, including attorney fees and court costs; and**

14 (b) **All attorney fees and costs incurred by the plaintiff in the action under this section.**

15 (3) **A judgment entered under this section may require that the defendant submit to a**  
16 **psychological evaluation. In addition, the judgment may require that the defendant make a**  
17 **private and public apology to the plaintiff. The defendant shall make the public apology by**  
18 **causing a letter of apology to the plaintiff to be published in a newspaper of general circu-**  
19 **lation. If the original allegations were published in the print media, the letter of apology shall**  
20 **be published in the print media that printed the original allegations.**

21 (4) **An action under this section must be commenced not more than two years after an**  
22 **accusation described in subsection (1) of this section is made.**

23 (5) **An action under this section is in addition to any other statutory or common law**  
24 **remedy that may be available to the plaintiff in the action.**

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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.