

76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session  
STAFF MEASURE SUMMARY  
Senate Committee on Judiciary

\*\*\* CORRECTED \*\*\*  
MEASURE: HB 2714 B  
CARRIER: Sen. Prozanski

REVENUE: No revenue impact  
FISCAL: Fiscal statement issued

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<b>Action:</b>	Do Pass with Amendments to the A-Engrossed Measure. (Printed B-Engrossed)
<b>Vote:</b>	5 - 0 - 0
<b>Yeas:</b>	Bonamici, Dingfelder, Kruse, Whitsett, Prozanski
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Bill Taylor, Counsel
<b>Meeting Dates:</b>	5/3, 5/4

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**WHAT THE MEASURE DOES:** Creates the crime of patronizing a prostitute if a person pays or offers to pay a fee to another in order to engage in a sex act. Classifies the crime as a Class A misdemeanor. Sets the fine at *\$10,000 for the first offense and \$20,000 for a second or subsequent offense* if the person to whom the fee was offered was under eighteen years of age. Does not require the state to prove the person knew the individual to whom the offer was made was under eighteen years of age. Allows court to impose a fine that the court determines the defendant can pay if the court determines that the defendant is unable to pay *the fine*. Prohibits the court from waiving or suspending the fine. Amends the prostitution statute, ORS 167.007, to include only the person offering to engage in a sex act for a fee. Adds a minimum of seven days in jail for second offense and *thirty days in jail for a third or subsequent offense*. (The corrected language is italicized.)

**ISSUES DISCUSSED:**

- Large fines a deterrent to soliciting to purchase sex
- Lack of knowledge of age not a defense

**EFFECT OF COMMITTEE AMENDMENT:** Adds a minimum of seven days in jail for second offense.

**BACKGROUND:** Currently, the crime of prostitution includes the person offering to engage in a sex act in return for a fee and the person paying or offering to pay the fee. The crime is a Class A misdemeanor with a penalty of up to a year in jail and a fine of up to \$6,250. Many of those seeking the services of a prostitute are attracted to underage individuals. This measure would significantly increase the penalties for those who do.

5/10/2011 9:03:00 AM

*This summary has not been adopted or officially endorsed by action of the committee.*

Committee Services Form – 2011 Regular Session