

HOUSE AMENDMENTS TO HOUSE BILL 2714

By COMMITTEE ON JUDICIARY

March 29

1 On page 1 of the printed bill, delete lines 17 through 27 and insert:

2 “(3)(a) When a person convicted of violating this section is 18 years of age or older at the time
3 the offense is committed and the person paid, or offered or agreed to pay, a fee to a minor to engage
4 in sexual conduct or sexual contact, in addition to any other sentence that may be imposed, the
5 court shall impose and may not suspend the sentence described in paragraph (b) of this subsection.

6 “(b) Notwithstanding ORS 161.635, the mandatory minimum sentences that apply to paragraph
7 (a) of this subsection are as follows:

8 “(A) For a person’s first conviction, a fine in the amount of \$10,000.

9 “(B) For a person’s second conviction, a fine in the amount of \$20,000.

10 “(C) For a person’s third or subsequent conviction, a fine in the amount of \$20,000 and a term
11 of incarceration of at least 30 days.

12 “(c) Notwithstanding paragraphs (a) and (b) of this subsection, if the court determines that the
13 person is unable to pay the full amount of the mandatory minimum fine, the court shall impose and
14 may not suspend a fine in an amount the court determines the person is able to pay.

15 “(d) In a prosecution in which it is alleged that this subsection applies, the state need not prove
16 that the person knew the minor was under 18 years of age and it is no defense that the person did
17 not know the minor’s age or that the person reasonably believed the minor to be 18 years of age
18 or older.

19 “(e) As used in this subsection, ‘minor’ means a person under 18 years of age.”
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