

Senate Bill 629

Sponsored by COMMITTEE ON JUDICIARY

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 imposition of certain mandatory minimum sentences when person is under 18 years of age at time crime is committed.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to crime; creating new provisions; amending section 2, chapter 1, Oregon Laws 2011; de-
3 claring an emergency; and providing for criminal sentence reduction that requires approval by
4 a two-thirds majority.

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

6 **SECTION 1.** Section 2, chapter 1, Oregon Laws 2011, is amended to read:

7 **Sec. 2.** [a.] (1) Any person who is convicted of a major felony sex crime[, *who has one (or more)*
8 *previous conviction of a major felony sex crime,*] shall be imprisoned for a mandatory minimum term
9 of 25 years **if:**

10 (a) **The person has one or more previous convictions for a major felony sex crime; and**

11 (b) **The person was at least 18 years of age at the time the current crime of conviction**
12 **was committed.**

13 (2) **As used in this section:**

14 [b.] (a) "Major felony sex crime" means rape in the first degree **as defined in** [(ORS
15 163.375)], sodomy in the first degree **as defined in** [(ORS 163.405)], unlawful sexual penetration in
16 the first degree **as defined in** [(ORS 163.411)], or using a child in a display of sexually explicit
17 conduct **as defined in** [(ORS 163.670)].

18 [c.] (b) "Previous conviction" includes a conviction for the statutory counterpart of a major
19 felony sex crime in any jurisdiction, and includes a conviction in the same sentencing proceeding
20 if the conviction is for a separate criminal episode as defined in ORS 131.505.

21 **SECTION 2.** **The amendments to section 2, chapter 1, Oregon Laws 2011, by section 1 of**
22 **this 2011 Act apply to conduct occurring on or after the effective date of this 2011 Act.**

23 **SECTION 3.** **This 2011 Act being necessary for the immediate preservation of the public**
24 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
25 **on its passage.**

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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.