

HOUSE AMENDMENTS TO RESOLVE CONFLICTS TO SENATE BILL 68

By COMMITTEE ON JUDICIARY

June 6

1 On page 1 of the printed bill, line 6, after “461.110” insert “and section 27, chapter ___, Oregon
2 Laws 2011 (Enrolled Senate Bill 408)”.

3 In line 8, after “181.497” insert “and section 12, chapter ___, Oregon Laws 2011 (Enrolled Senate
4 Bill 408)”.

5 On page 30, after line 38, insert:

6 “**SECTION 36a. If Senate Bill 408 becomes law, section 12, chapter ___, Oregon Laws 2011**
7 **(Enrolled Senate Bill 408) (amending ORS 181.596), is repealed and ORS 181.596, as amended**
8 **by section 36 of this 2011 Act, is amended to read:**

9 “181.596. (1)(a) Except as otherwise provided in paragraph (b) of this subsection, the agency to
10 which a person reports under subsection (4) of this section shall complete a sex offender registration
11 form concerning the person when the person reports under subsection (4) of this section.

12 “(b) When a person who is under supervision reports to the agency supervising the person, the
13 supervising agency may require the person to report instead to the Department of State Police, a
14 city police department or a county sheriff’s office and provide the supervising agency with proof of
15 the completed registration.

16 “(2) Subsection (4) of this section applies to a person who is discharged, released or placed on
17 probation:

18 “(a) By the court after being convicted in this state of a sex crime; **or**

19 “[*b*] *By the juvenile court after being found to be within the jurisdiction of the juvenile court for*
20 *having committed an act that if committed by an adult would constitute a sex crime;*]

21 “[*c*] **(b)** *To or in this state under ORS 144.610 after being convicted in another United States*
22 *court of a crime that would constitute a sex crime if committed in this state;* *or*].

23 “[*d*] *To or in this state after having been found by another United States court to have committed*
24 *an act while the person was under 18 years of age that would constitute a sex crime if committed in*
25 *this state by an adult.*]

26 “(3) The court shall ensure that the person completes a form that documents the person’s obli-
27 gation to report under ORS 181.595 or this section. No later than three working days after the
28 person completes the form required by this subsection, the court shall ensure that the form is sent
29 to the Department of State Police.

30 “(4)(a) A person described in subsection (2) of this section shall report, in person, to the De-
31 partment of State Police, a city police department or a county sheriff’s office or, if the person is
32 under supervision, to the supervising agency:

33 “(A) Within 10 days following discharge, release or placement on probation;

34 “(B) Within 10 days of a change of residence;

35 “(C) Once each year within 10 days of the person’s birth date, regardless of whether the person

1 changed residence;

2 “(D) Within 10 days of the first day the person works at, carries on a vocation at or attends an
3 institution of higher education; and

4 “(E) Within 10 days of a change in work, vocation or attendance status at an institution of
5 higher education.

6 “[*(b)* If the person required to report under this subsection is a youth offender, as defined in ORS
7 419A.004, who is under supervision, the person shall report to the agency supervising the person.]

8 “[*(c)*] **(b)** The obligation to report under this subsection terminates if the conviction or adjudi-
9 cation that gave rise to the obligation is reversed or vacated or if the registrant is pardoned.

10 “(5) As part of the registration and reporting requirements of this section:

11 “(a) The person required to report shall:

12 “(A) Provide the information necessary to complete the sex offender registration form and sign
13 the form as required; and

14 “(B) Submit to the requirements described in paragraph (b) of this subsection.

15 “(b) The Department of State Police, the city police department, the county sheriff’s office or the
16 supervising agency:

17 “(A) Shall photograph the person when the person initially reports under this section and each
18 time the person reports annually under this section;

19 “(B) May photograph the person or any identifying scars, marks or tattoos located on the person
20 when the person reports under any of the circumstances described in this section; and

21 “(C) Shall fingerprint the person if the person’s fingerprints are not included in the record file
22 of the Department of State Police.

23 “**SECTION 36b.** If Senate Bill 408 becomes law, section 27, chapter __, Oregon Laws 2011
24 (Enrolled Senate Bill 408), is amended to read:

25 “**Sec. 27.** (1) Sections 1 and 2 [*of this 2011 Act*], **chapter __, Oregon Laws 2011 (Enrolled**
26 **Senate Bill 408)**, and the amendments to ORS 93.275, 181.589, 181.590, 181.592, 181.594, 181.595,
27 181.596, 181.597, 181.598, 181.599, 181.602, 181.604, 181.606, 181.820, 181.823, 181.826, 181.830, 181.875,
28 417.042 and 696.880 by sections 3, 4, [*and*] 7 to **11 and 13 to 24** [*of this 2011 Act*], **chapter __,**
29 **Oregon Laws 2011 (Enrolled Senate Bill 408), and section 36a of this 2011 Act** become operative
30 on January 1, 2012.

31 “(2) Sections 1 and 2 [*of this 2011 Act*], **chapter __, Oregon Laws 2011 (Enrolled Senate Bill**
32 **408)**, and the amendments to ORS 21.110, 93.275, 181.589, 181.590, 181.592, 181.594, 181.595, 181.596,
33 181.597, 181.598, 181.599, 181.602, 181.604, 181.606, 181.820, 181.823, 181.826, 181.830, 181.875, 417.042
34 and 696.880 by sections 3 to **11 and 13 to 24** [*of this 2011 Act*], **chapter __, Oregon Laws 2011**
35 **(Enrolled Senate Bill 408), and section 36a of this 2011 Act** apply to persons adjudicated before,
36 on or after the effective date of [*this 2011 Act*] **chapter __, Oregon Laws 2011 (Enrolled Senate**
37 **Bill 408)**.

38 “(3) A person who is adjudicated before January 1, 2012, and, but for the amendments to ORS
39 181.595, 181.596 and 181.597 by sections 11[12] and 13, **chapter __, Oregon Laws 2011 (Enrolled**
40 **Senate Bill 408), and section 36a of this 2011 Act**, would be required to make an initial report
41 as a sex offender on or after January 1, 2012, shall make an initial report that complies with section
42 1 (6) [*of this 2011 Act*], **chapter __, Oregon Laws 2011 (Enrolled Senate Bill 408)**, no later than
43 the date described in section 1 (2) [*of this 2011 Act*], **chapter __, Oregon Laws 2011 (Enrolled**
44 **Senate Bill 408)**, as applicable.”.