



STATE OF OREGON
Legislative Counsel Committee

May 2, 2013

To: Senator Brian Boquist
From: Jessica L. Minifie, Deputy Legislative Counsel
Subject: Senate Bill 673 (A-Engrossed)

I am writing to confirm that, due to a drafting error in the A-engrossed version of Senate Bill 673, it is possible to obtain an ex parte order for the interception of wire, electronic or oral communications under ORS 133.724 for the misdemeanor crime of patronizing a prostitute¹ but not when the crime is charged as a felony.

This error occurred because the introduced version of the bill created the crime of patronizing a trafficked child. The bill then placed much of the substance of the current crime of patronizing a prostitute, when the alleged prostitute is a minor, in that new crime. In the introduced version and under current law, patronizing a prostitute is always a misdemeanor.

The amendments to the bill eliminated the new crime, restored some of the language of patronizing a prostitute and added new provisions, including elevating the crime to a felony after a person has two prior convictions. The amendments to ORS 133.724 were not altered to reflect this change, and the bill keeps the current language of allowing the ex parte order for the misdemeanor charge of patronizing a prostitute, but does not mention the felony charge.

If you have any further questions, please do not hesitate to contact our office.

¹ ORS 167.008.