

**PROPOSED AMENDMENTS TO
SENATE BILL 673**

1 On page 1 of the printed bill, line 3, delete “161.005,” and “166.715,”.

2 Delete lines 6 through 29.

3 On page 2, delete lines 1 and 2.

4 In line 3, delete “3” and insert “1”.

5 In line 18, delete “18” and insert “15”.

6 Delete lines 27 through 45.

7 On page 3, delete lines 1 through 3 and insert:

8 **“SECTION 2.** ORS 167.008 is amended to read:

9 “167.008. (1) A person commits the crime of patronizing a prostitute if the
10 person pays, or offers or agrees to pay, a fee to engage in sexual conduct or
11 sexual contact.

12 **“(2) Except as provided in subsection (3) of this section,** patronizing
13 a prostitute is a Class A misdemeanor.

14 **“(3)(a)** When a person convicted of violating this section is 18 years of
15 age or older at the time the offense is committed and the person paid, or
16 offered or agreed to pay, a fee to a minor to engage in sexual conduct or
17 sexual contact, **the Oregon Criminal Justice Commission shall classify**
18 **the offense as a person Class A misdemeanor.** In addition to any other
19 sentence that may be imposed, the court shall impose and may not suspend
20 the sentence described in paragraph (b) of this subsection.

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

1 “(A) For a person’s first conviction, a fine in the amount of \$10,000 **and**
2 **a term of incarceration of at least 30 days.**

3 “(B) For a person’s second conviction, a fine in the amount of \$20,000,
4 [*and*] a term of incarceration of at least [*seven*] **90 days and the court shall**
5 **designate the offense as a sex crime under ORS 181.594.**

6 “(C) For a person’s third or subsequent conviction, a fine in the amount
7 of \$20,000, [*and a term of incarceration of at least 30 days*] **the offense is a**
8 **Class C felony, the Oregon Criminal Justice Commission shall classify**
9 **the offense as a person felony and a crime category 8 of the sentencing**
10 **guidelines grid of the commission and the court shall impose the**
11 **presumptive sentence of imprisonment under the rules of the com-**
12 **mission.**

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

17 “(d) **For a person’s first conviction under paragraph (a) of this**
18 **subsection, the court may designate the offense as a sex crime under**
19 **ORS 181.594 if the court finds that the circumstances of the offense**
20 **and the age of the prostitute as reported to the defendant require the**
21 **defendant to report as a sex offender for the safety of the community.**

22 “(e) **In a prosecution in which it is alleged that this subsection ap-**
23 **plies, conduct constituting a single criminal episode, as that term is**
24 **defined in ORS 131.505, may only give rise to one charge even if the**
25 **person paid or offered or agreed to pay a fee to more than one minor**
26 **to engage in sexual conduct or sexual contact.**

27 “[(d)] (f) In a prosecution in which it is alleged that this subsection ap-
28 plies, the state need not prove that the person knew the minor was under
29 18 years of age and it is no defense that the person did not know the minor’s
30 age or that the person reasonably believed the minor to be 18 years of age

1 or older.

2 “[e)] (g) As used in this subsection, ‘minor’ means a person under 18
3 years of age.”.

4 In line 4, delete “5” and insert “3”.

5 In line 6, delete “or section 1 of this 2013 Act”.

6 On page 4, line 18, delete “6” and insert “4”.

7 In line 32, delete “or section 1 of this 2013 Act”.

8 On page 6, line 11, delete “7” and insert “5”.

9 In line 34, delete “or section 1 of this 2013 Act”.

10 On page 7, line 18, delete “8” and insert “6”.

11 On page 8, line 36, delete “9” and insert “7”.

12 On page 9, delete lines 13 through 45 and delete page 10.

13 On page 11, delete lines 1 through 36.

14 In line 37, delete “11” and insert “8”.

15 On page 12, delete lines 36 and 37 and insert:

16 “(s) Trafficking in persons as described in ORS 163.266 (1)(b) or (c);

17 “(t) Patronizing a prostitute if the court designates the offense as a sex
18 crime pursuant to ORS 167.008 (3)(d), or the offense is the defendant’s second
19 or subsequent conviction under ORS 167.008 (3);”.

20 On page 13, line 8, delete “12” and insert “9”.

21 In line 28, restore the bracketed material.

22 In line 30, delete the comma and restore the bracketed material.

23 In line 31, after “167.008” insert a period and delete the rest of the line
24 and lines 32 through 34.

25 On page 15, delete lines 16 through 27 and insert:

26 **“SECTION 10. Section 11 of this 2013 Act is added to and made a
27 part of ORS 181.610 to 181.712.**

28 **“SECTION 11. The Board on Public Safety Standards and Training
29 may require that all police officers and certified reserve officers are
30 trained to recognize, investigate and report cases involving labor**

1 **trafficking and sex trafficking of children and adults at any advanced**
2 **training program operated or authorized by the Department of Public**
3 **Safety Standards and Training.”.**

4 In line 28, delete “14” and insert “12”.

5 In line 37, delete “15” and insert “13”.

6 On page 16, line 18, delete “16” and insert “14”.

7 In line 31, delete “17” and insert “15”.

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