

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Judiciary

MEASURE: HB 2693
CARRIER: Rep. Gomberg

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 04/14/15

Action: Do Pass.

Meeting Dates: 03/18, 04/14

Vote:

Yeas: 9 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Post, Sprenger, Williamson

Prepared By: Laura Handzel, Administrator

WHAT THE MEASURE DOES:

Creates crime of encouraging sexual assault of an animal carrying maximum penalty of one year imprisonment, \$6,250 fine, or both. Raises classification of crime of sexual assault of an animal from Class A misdemeanor to Class C felony and punishes by maximum of five years imprisonment, \$125,000 fine, or both. Increases length of time person convicted of sexual assault of an animal is prohibited from possessing certain animals from five to fifteen years.

ISSUES DISCUSSED:

- Lack of awareness of problem
- Relationship between animal porn and child porn
- Link between animal sexual abuse and human sexual abuse
- Link to violence against women and children specifically
- Forced participation
- Research on animal sexual assault and related topics
- Previous bills banning and/or eliminating bestiality
- Narrow breadth of bill and inapplicability to good animal husbandry practices
- Constitutionality of bill
- Elevation of crime category
- Rate of occurrence in Oregon

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

The sexual assault of an animal is a crime under ORS 167.333. Current Oregon law, however, fails to address related activities, including the creation or purchase of visual recordings depicting animal sexual assault.

House Bill 2693 creates a Class A misdemeanor crime of encouraging the sexual assault of an animal when a person: 1) knowingly possesses or controls, for the purpose of arousing or satisfying the sexual desires of the person or another, a visual recording of a person engaged in sexual conduct with an animal; and 2) knows or is aware of and consciously disregards the fact that the creation of the visual recording involved the sexual assault of an animal. House Bill 2693 additionally defines relevant terms, raises the crime of sexual assault of an animal from a Class A misdemeanor to a Class C felony, and increases the amount of time an offender is prohibited from possessing animals from five to fifteen years. House Bill 2693 applies to conduct occurring on or after its effective date.