

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

MEASURE: HB 2596 B
CARRIER: Sen. Prozanski

Fiscal: Has minimal fiscal impact

Revenue: No Revenue Impact

Action Date: 05/20/15

Action: Do Pass With Amendments To The A-Eng Bill. (Printed B-Eng.)

Meeting Dates: 05/11, 05/20

Vote:

Yeas: 4 - Gelser, Kruse, Prozanski, Thatcher

Exc: 1 - Burdick

Prepared By: Eric Deitrick, Counsel

WHAT THE MEASURE DOES:

Modifies crime of "Invasion of Personal Privacy" to prohibit the nonconsensual recording of another person's intimate areas. Defines terms. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Young people and cell phones
- Specific instance of person having a digital image taken of their intimate area
- Phenomenon of sharing captured images on social media

EFFECT OF COMMITTEE AMENDMENT:

Resolves conflicts with House Bill 2356-B. Clarifies that conduct prohibit by this bill would constitute Invasion of Privacy in the Second Degree if House Bill 2356-B is enacted. Adds emergency clause.

BACKGROUND:

ORS 163.700 defines the crime of Invasion of Personal Privacy as the nonconsensual recording or viewing of a person when that person is in a private place and nude. House Bill 2596-B expands the statute to prohibit the nonconsensual recording of a person's intimate areas, regardless of whether that person is nude or in a private place. The prohibition only applies when the victim has a reasonable expectation of privacy concerning the intimate area, meaning that (1) the person intended to protect the intimate area from being seen and (2) the person has not exposed the intimate area to public view.