

HB 3061 A STAFF MEASURE SUMMARY

House Committee On Judiciary

Action Date: 04/03/17

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 9-0-2-0

Yeas: 9 - Barker, Gorsek, Greenlick, Olson, Post, Sanchez, Sprenger, Vial, Williamson

Exc: 2 - Lininger, Stark

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Authorizes court or other supervisory authority to prohibit person on probation or post-prison supervision for specified crimes from using anonymous text messages services. Creates Task Force on Anonymous Text Message Services. Directs task force to study regulation and prohibition of anonymous, web-based text messages sent for purpose of drug dealing, harassment or abuse.

ISSUES DISCUSSED:

- Witness tampering, threats and harassment sent from anonymous text messaging service.
- Use of servers in foreign countries.

EFFECT OF AMENDMENT:

Replaces phrase "victims of electronic harassment" with "survivors of electronic harassment."

BACKGROUND:

When a person is convicted of a crime and placed on probation or released on post-prison supervision, the court, the State Board of Parole and Post-Prison Supervision or a community corrections agency is authorized to impose special requirements that remain applicable while the person is under supervision. House Bill 3061-A authorizes those entities to prohibit a person from using an Internet website to send an anonymous text message, if the person is supervised for dealing drugs or committing domestic violence or telephonic harassment.

HB 3061-A also creates a Task Force on Anonymous Text Message Services. The Task Force is comprised of nine volunteer members: four nonvoting legislators and five voting members appointed by the Oregon Attorney General. The Task Force must study "the changes in Oregon law needed to regulate and prohibit the use of Internet websites to send anonymous text messages for the purpose of harassing and abusing other persons and engaging in the unlawful delivery of controlled substances." The Department of Justice must provide staff for the task force. The task force must report to the legislature by September 15, 2019.