

House Bill 2602

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies crime of sexual abuse in the first degree by specifying location of prohibited touching constituting crime.

A BILL FOR AN ACT

Relating to sexual abuse in the first degree; creating new provisions; amending ORS 163.427; and providing for criminal sentence reduction that requires approval by a two-thirds majority.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 163.427 is amended to read:

163.427. (1) A person commits the crime of sexual abuse in the first degree when that person:

(a) [*Subjects another person to sexual contact*] **Touches another person's primary genital area, groin, anus, buttock or breast, or causes another person to touch the actor's primary genital area, groin, anus, buttock or breast, for the purpose of arousing or gratifying the sexual desire of either party, and:**

(A) The victim is less than 14 years of age;

(B) The victim is subjected to forcible compulsion by the actor; or

(C) The victim is incapable of consent by reason of being mentally defective, mentally incapacitated or physically helpless; or

(b) Intentionally causes a person under 18 years of age to touch or contact the mouth, anus or sex organs of an animal for the purpose of arousing or gratifying the sexual desire of a person.

(2) Sexual abuse in the first degree is a Class B felony.

SECTION 2. The amendments to ORS 163.427 by section 1 of this 2017 Act apply to prosecutions initiated on or after the effective date of this 2017 Act.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.