

Senate Bill 1050

Sponsored by Senator COURTNEY

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**.

Provides that presumptive sentence for certain sex crimes is life imprisonment without possibility of release or parole if defendant has certain prior conviction at time of offense. Authorizes court to impose lesser sentence under rules of Oregon Criminal Justice Commission.

A BILL FOR AN ACT

1
2 Relating to sentencing for serious sex crimes.

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

4 **SECTION 1. (1) The presumptive sentence for a crime described in subsection (3) of this**
5 **section is life imprisonment without the possibility of release or parole if, at the time of the**
6 **offense, the defendant has a prior conviction for a crime described in subsection (4) of this**
7 **section.**

8 **(2) The court may impose a sentence other than the presumptive sentence provided by**
9 **subsection (1) of this section if the court imposes a departure sentence authorized by the**
10 **rules of the Oregon Criminal Justice Commission based upon findings of substantial and**
11 **compelling reasons.**

12 **(3) The crimes to which the sentence described in subsection (1) of this section applies**
13 **are:**

14 **(a) Rape in the first degree under ORS 163.375;**

15 **(b) Sodomy in the first degree under ORS 163.405; and**

16 **(c) Unlawful sexual penetration in the first degree under ORS 163.411.**

17 **(4) The prior convictions that give rise to a sentence described in subsection (1) of this**
18 **section are:**

19 **(a) Rape in the first degree under ORS 163.375;**

20 **(b) Sodomy in the first degree under ORS 163.405;**

21 **(c) Unlawful sexual penetration in the first degree under ORS 163.411;**

22 **(d) An equivalent federal offense; and**

23 **(e) An equivalent offense in another state.**
24

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.