

Requested by SENATE COMMITTEE ON JUDICIARY

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 714**

1 On page 8 of the printed A-engrossed bill, delete lines 42 and 43 and in-
2 sert:

3 **“SECTION 3. (1) The fact that a crime listed in ORS 137.700 (2) was**
4 **committed with the intent or purpose of recording and disseminating**
5 **video of the crime may be pleaded in the accusatory instrument and**
6 **proved at trial as an element in aggravation of that crime.**

7 **“(2) Notwithstanding ORS 161.605, if a defendant is convicted of a**
8 **crime listed in ORS 137.700 (2) having as an element the commission**
9 **of the crime with the intent or purpose of recording and disseminating**
10 **video of the crime, when imposing sentence the court may increase**
11 **the term of imprisonment described in ORS 137.700 (2) by up to 36**
12 **months.**

13 **“(3) As used in this section:**

14 **“(a) ‘Disseminate’ means to broadcast over the Internet or using**
15 **an electronic communication service.**

16 **“(b) ‘Electronic communication service’ has the meaning given that**
17 **term in 18 U.S.C. 2510.**

18 **“(c) ‘Video’ includes any format of recording, broadcasting or**
19 **viewing moving images.**

20 **“SECTION 4. (1) The amendments to ORS 137.540 and 144.102 by**
21 **sections 1 and 2 of this 2017 Act apply to crimes committed on or after**

1 **the effective date of this 2017 Act.**

2 **“(2) Section 3 of this 2017 Act applies to conduct occurring on or**
3 **after the effective date of this 2017 Act.”.**

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