

## HB 2045 -1, -2, -3 STAFF MEASURE SUMMARY

### House Committee On Judiciary

---

**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 2/4, 2/25

---

#### **WHAT THE MEASURE DOES:**

Removes deadline for the State Board of Parole and Post-Prison Supervision (Board) to complete classification of all existing sex offender registrants. Replaces the current deadline of February 1, 2023, for the Department of State Police (OSP) to enter classifications of existing registrants into the Law Enforcement Data System with the requirement that OSP enter the information within a reasonable time after receipt. Requires Board to report biennially on the progress made in assessing and classifying existing registrants beginning February 1, 2021. Makes technical changes.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-1 Replaces "unclassified sex offenders" with the statutes specifying the individuals the Board is required to assess and report on progress made to the legislature.

-2 Incorporates the -1 amendments. Amends current deadline for classification of existing registrants by the State Board of Parole and Post-Prison Supervisions (Board) to December 1, 2026.

Clarifies language relating to persons petitioning review of their sex offender risk assessment classification under ORS 163A.100. States that a petition must be filed within 60 days of receiving notice of the classification in person or if by mail the time when the notice is sent.

Adds to the circumstances when juvenile courts must ensure that a person required to report as a sex offender complete a form documenting their reporting obligations to include when the person has waived their right to a hearing on the issue of reporting as a sex offender.

Adds requirement that sex offenders report to specified reporting agencies within 10 days of a legal change of name. Adds requirement that registered sex offenders report, in person, to appropriate authority at least 21 days prior to any intended travel outside of the United States. Adds failing to report at least 21 days prior to any intended travel outside the United States and failing to report a legal change of name within 10 days to the list of acts constituting the crime of failure to report as a sex offender listed in ORS 163A.040.

-3 Incorporates the -2 amendments. Requires juvenile courts to forward any order directing a person to register as a sex offender.

#### **BACKGROUND:**

In 2013, the Legislative Assembly enacted HB 2549, which directed the Department of Corrections (the Department) to adopt a sex offender risk assessment tool for use in classifying sex offenders based on the statistical likelihood that an individual sex offender will commit another sex crime. The assessment and classification is to be done prior to an individual's release from the Department of Corrections custody or within 60 days of being placed on community supervision. The measure also applied retroactively directing the Department to classify all sex offenders who were required to report before the implementation of the system, as well as those required to report in the future. The original deadline set forth in the 2013 legislation was extended by the legislative assembly in 2015 and then again in 2017 to provide the Board more time to comply with the directive of the legislation related to unclassified registrants. State Board of Parole and Post-Prison Supervision

---

*This summary has not been adopted or officially endorsed by action of the committee.*

assumed the task in place of the Department as part of the 2015 legislation (HB2320).

PRELIMINARY