

# House Bill 2824

Sponsored by Representative WILLIAMS (Presession filed.)

## 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**.

Removes prohibition on obtaining relief from obligation to report as sex offender for persons convicted of or found guilty except for insanity of certain first degree sex offenses.

## A BILL FOR AN ACT

1  
2 Relating to relief from the obligation to report as a sex offender; amending ORS 163A.050 and  
3 163A.115.

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

5 **SECTION 1.** ORS 163A.115 is amended to read:

6 163A.115. Notwithstanding any other provision of law:

7 (1) A person who is a sexually violent dangerous offender under ORS 137.765:

8 (a) Must be classified as a level three sex offender under ORS 163A.100 (3); and

9 (b) Is not eligible for relief from the obligation to report as a sex offender or reclassification as  
10 a level two sex offender under ORS 163A.100 (2), pursuant to a petition filed under ORS 163A.125.

11 *[(2) A person who has been convicted or found guilty except for insanity of one of the following*  
12 *offenses is not eligible for relief from the obligation to report as a sex offender pursuant to a petition*  
13 *filed under ORS 163A.125 (1):]*

14 *[(a) Rape in the first degree;]*

15 *[(b) Sodomy in the first degree;]*

16 *[(c) Unlawful sexual penetration in the first degree;]*

17 *[(d) Kidnapping in the first degree as described in ORS 163.235 (1)(e) or when the victim is under*  
18 *18 years of age; or]*

19 *[(e) Burglary in the first degree when committed with the intent to commit any of the offenses listed*  
20 *in ORS 163A.005 (5)(a) to (w).]*

21 *[(3)]* **(2)** A person classified as a level three sex offender under section 7 (2)(b), chapter 708,  
22 Oregon Laws 2013, is not eligible for relief from the obligation to report as a sex offender pursuant  
23 to a petition filed under ORS 163A.125 (1).

24 **SECTION 2.** ORS 163A.050 is amended to read:

25 163A.050. (1) When the court imposes sentence upon a person convicted of a sex crime or finds  
26 a person guilty except for insanity of a sex crime, the court shall notify the person of the obligation  
27 to report as a sex offender under ORS 163A.010 and 163A.015.

28 (2) At the initial intake for incarceration or release on any type of supervised release, the sex  
29 offender shall complete a form that documents the offender's obligation to report under ORS  
30 163A.010 or 163A.015 and the effect described in ORS *[163A.115]* **163A.105** of failing to submit to a  
31 sex offender risk assessment. The Department of State Police shall develop and provide the form.

**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.

1 No later than three working days after the sex offender completes the form, the person responsible  
2 for the intake process shall send the form to the Department of State Police.  
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