Senate Bill 770

Sponsored by Senator KNOPP

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 crime of private indecency includes circumstances in which defendant's conduct occurs in immediate presence of other person.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to private indecency; creating new provisions; amending ORS 163.467; and declaring an emergency.

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

SECTION 1. ORS 163.467 is amended to read:

163.467. (1) A person commits the crime of private indecency if the person exposes the genitals of the person with the intent of arousing the sexual desire of the person or another person and:

(a) The person is in a place where another person has a reasonable expectation of privacy;

(b) The person is in view of the other person;

(c) The exposure reasonably would be expected to alarm or annoy the other person; and

(d) The person knows that the other person did not consent to the exposure.

(2) Private indecency is a Class A misdemeanor.

(3) Subsection (1) of this section does not apply to a person who commits the act described in subsection (1) of this section if the person cohabits with and is involved in a sexually intimate relationship with the other person.

(4) For purposes of this section,:

(a) “In view of the other person” includes circumstances in which the person's conduct occurs in the immediate presence of the other person.

(b) “Place where another person has a reasonable expectation of privacy” includes, but is not limited to, residences, yards of residences, working areas and offices.

SECTION 2. The amendments to ORS 163.467 by section 1 of this 2021 Act apply to conduct occurring on or after the effective date of this 2021 Act.

SECTION 3. This 2021 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect on its passage.