

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

1
2 Relating to private indecency; creating new provisions; amending ORS 163.467; and declaring an
3 emergency.

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

5 **SECTION 1.** ORS 163.467 is amended to read:

6 163.467. (1) A person commits the crime of private indecency if the person exposes the genitals
7 of the person with the intent of arousing the sexual desire of the person or another person and:

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

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

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

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

12 (2) Private indecency is a Class A misdemeanor.

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

16 (4) For purposes of this section[,]:

17 (a) **"In view of the other person" includes circumstances in which the person's conduct**
18 **occurs in the immediate presence of the other person.**

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

21 **SECTION 2. The amendments to ORS 163.467 by section 1 of this 2021 Act apply to con-**
22 **duct occurring on or after the effective date of this 2021 Act.**

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

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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.