

SB 957 A STAFF MEASURE SUMMARY**Carrier:** Sen. Hansell**Senate Committee On Judiciary****Action Date:** 04/03/23**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Gelser Blouin, Linthicum, Manning Jr, Prozanski, Thatcher**Fiscal:** Fiscal impact issued**Revenue:** Has minimal revenue impact**Prepared By:** Adrienne Anderson, LPRO Analyst**Meeting Dates:** 3/30, 4/3**WHAT THE MEASURE DOES:**

Expands the types of prior convictions that increase the offense level for the crime of public indecency to include: Using Child in Display of Sexually Explicit Conduct (ORS 163.670); Encouraging Child Abuse in the First, Second, and Third Degree (ORS 163.684, 163.686, 163.687); Possession of Materials Depicting Sexually Explicit Conduct of a Child in the First and Second Degree (ORS 163.688, 163.689); and Failure to Report Child Pornography (ORS 163.693). Modifies crime of Luring a Minor to include engaging in sexual conduct in the immediate presence of a minor for the purpose of inducing the minor to engage in sexual conduct. Modifies the affirmative defense for the crime of Luring a Minor to include that the defendant had reasonable cause to believe that the person in the immediate presence of whom the defendant engaged in sexual conduct was not a minor.

ISSUES DISCUSSED:

- Sexual conduct has a more expansive definition than sexual contact

EFFECT OF AMENDMENT:

Removes the emergency clause.

BACKGROUND:

Under current law, the crime of public indecency is a Class A misdemeanor. It is a Class C felony if the person has a prior conviction for the following crimes: Public Indecency; Rape in the Third, Second, or First degree; Sodomy in the Third, Second, or First degree; Unlawful Sexual Penetration in the Second or First degree; Purchasing Sex with a Minor; Sexual Abuse in the Third, Second, or First degree; Online Sexual Corruption of a Child in the Second or First degree; Contributing to the Sexual Delinquency of a Minor; or Sexual Misconduct.

Senate Bill 957 A expands the number and types of prior convictions that qualify to enhance the crime of public indecency to a Class C felony and modifies the crime of Luring a Minor to include engaging in sexual conduct in the immediate presence of the minor for the purpose of inducing the minor to engage in sexual conduct.