

Senate Bill 1083

Sponsored by Senator ANDERSON

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act adds crimes to the sexually violent dangerous offender law. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 63.2).

Adds crimes of conviction that qualify for sexually violent dangerous offender sentencing, requiring lifetime post-prison supervision if the court makes certain findings.

Declares an emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to sexually violent dangerous offenders; amending ORS 137.765; and declaring an emer-
3 gency.

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

5 **SECTION 1.** ORS 137.765 is amended to read:

6 137.765. (1) As used in this section:

7 (a) "History of sexual assault" means that a person has engaged in unlawful sexual conduct that:

8 (A) Was not committed as part of the same criminal episode as the crime for which the person
9 is currently being sentenced; and

10 (B) Seriously endangered the life or safety of another person or involved a victim under 12 years
11 of age.

12 (b) "Sexually violent dangerous offender" means a person who has psychopathic personality
13 features, sexually deviant arousal patterns or interests and a history of sexual assault and presents
14 a substantial probability of committing a crime listed in subsection (3) of this section.

15 (2) Notwithstanding ORS 161.605, when a person is convicted of a crime listed in subsection (3)
16 of this section, in addition to any sentence of imprisonment required by law, a court shall impose
17 a period of post-prison supervision that extends for the life of the person if:

18 (a) The person was 18 years of age or older at the time the person committed the crime; and

19 (b) The person is a sexually violent dangerous offender.

20 (3) The crimes to which subsection (2) of this section applies are:

21 (a) Rape in the first degree and sodomy in the first degree if the victim was:

22 (A) Subjected to forcible compulsion by the person;

23 (B) Under 12 years of age; [*or*]

24 (C) **Under 14 years of age and is the person's sibling, of the whole or half blood, the**
25 **person's child or the person's spouse's child; or**

26 [*C*] (D) Incapable of consent by reason of mental incapacitation, physical helplessness or in-
27 capability of appraising the nature of the victim's conduct;

28 (b) Unlawful sexual penetration in the first degree; [*and*]

29 (c) An attempt to commit a crime listed in paragraph (a) or (b) of this subsection[.];

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 **(d) Rape in the second degree;**
- 2 **(e) Sodomy in the second degree;**
- 3 **(f) Unlawful sexual penetration in the second degree;**
- 4 **(g) Purchasing sex with a minor;**
- 5 **(h) Sexual abuse in the first degree; and**
- 6 **(i) Online sexual corruption of a child in the first degree.**

7 **SECTION 2. This 2025 Act being necessary for the immediate preservation of the public**
8 **peace, health and safety, an emergency is declared to exist, and this 2025 Act takes effect**
9 **on its passage.**

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