

**A-Engrossed**  
**Senate Bill 470**

Ordered by the Senate March 19  
Including Senate Amendments dated March 19

Sponsored by Senator PROZANSKI; Senator MANNING JR (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. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest: Lets a person sue if someone makes, stores or shows a visual image or recording of the person while the person is in private space in a hotel or like place. (Flesch Readability Score: 60.7).**

*[Digest: Tells a person that offers, in return for money, a space for others to stay for a short time, and any other person that assists the person to offer the space, that they may not make, store, show or give to another person an audio or video record of a person that stays in the space. Allows the person that stays in the space to sue for violations of the law. Takes effect 91 days after the session ends. (Flesch Readability Score: 64.4).]*

*[Prohibits a transient lodging provider and a transient lodging intermediary from making, storing, transmitting or transferring an audio or video recording of an occupant of transient lodging in any space within the transient lodging in which the occupant has a reasonable expectation of privacy. Punishes violation of the Act as an unlawful practice under the Unlawful Trade Practices Act.]*

**Provides a cause of action for invasion of personal privacy against a transient lodging provider's or transient lodging intermediary's capturing, making, storing, transferring, transmitting or broadcasting, or intentionally permitting another person to make, store, transfer, transmit or broadcast, a visual image or recording or audio of a plaintiff while the plaintiff occupies a private space within transient lodging that is under the transient lodging provider's or transient lodging intermediary's ownership or control.**

Takes effect on the 91st day following adjournment sine die.

**A BILL FOR AN ACT**

1  
2 Relating to recordings of occupants of transient lodging; amending ORS 30.831; and prescribing an  
3 effective date.

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

5 **SECTION 1.** ORS 30.831 is amended to read:

6 30.831. (1) A plaintiff has a cause of action for invasion of personal privacy if the plaintiff es-  
7 tablishes any of the following:

8 (a) The defendant knowingly made or recorded a photograph, motion picture, videotape or other  
9 visual **image or** recording of the plaintiff in a state of nudity without the consent of the plaintiff,  
10 and at the time the visual **image or** recording was made or recorded the plaintiff was in a place  
11 and circumstances where the plaintiff had a reasonable expectation of personal privacy.

12 (b) For the purpose of arousing or gratifying the sexual desire of the defendant, the defendant  
13 was in a location to observe the plaintiff in a state of nudity without the consent of the plaintiff,  
14 and the plaintiff was in a place and circumstances where the plaintiff had a reasonable expectation  
15 of personal privacy.

16 (c) For the purpose of arousing or gratifying the sexual desire of any person, the defendant  
17 knowingly:

18 (A) Made or recorded a photograph, motion picture, videotape or other visual **image or re-**

**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 cording of an intimate area of the plaintiff without the consent of the plaintiff; or

2 (B) Viewed an intimate area of the plaintiff without the consent of the plaintiff.

3 (d) Without the consent of the plaintiff, the defendant disseminated a photograph, motion pic-  
4 ture, videotape or other visual **image or** recording of the plaintiff in a state of nudity, and the de-  
5 fendant knew that at the time the visual **image or** recording was made or recorded the plaintiff was  
6 in a place and circumstances where the plaintiff had a reasonable expectation of personal privacy.

7 **(e) The defendant is a transient lodging provider or transient lodging intermediary and**  
8 **without the consent of the plaintiff captures, makes, stores, transfers, transmits or broad-**  
9 **casts, or intentionally permits another person to capture, make, store, transfer, transmit**  
10 **or broadcast, a visual image or recording or audio of the plaintiff while the plaintiff occupies**  
11 **a private space within transient lodging that is under the defendant's ownership or control.**

12 (2) A plaintiff who prevails in a cause of action for invasion of personal privacy under this  
13 section is entitled to receive:

14 (a) Compensatory damages; and

15 (b) Reasonable attorney fees.

16 (3) An action under this section must be commenced not later than two years after the conduct  
17 that gives rise to a claim for relief occurred.

18 (4) The remedy provided by this section is in addition to, and not in lieu of, any other claim for  
19 relief that may be available to a plaintiff by reason of conduct of a defendant described in subsection  
20 (1) of this section.

21 (5) The provisions of subsection (1)(a) and (d) of this section do not apply to a photograph, mo-  
22 tion picture, videotape or other visual **image or** recording of a person under 12 years of age if:

23 (a) The person who makes, records or disseminates the visual **image or** recording is the father,  
24 mother, sibling, grandparent, aunt, uncle or first cousin, by blood, adoption or marriage, of the per-  
25 son under 12 years of age; and

26 (b) The visual **image or** recording is made, recorded or disseminated for a purpose other than  
27 arousing or gratifying the sexual desire of the person or another person.

28 (6) As used in this section:

29 **(a) "Audio" means speech or other sound that a person makes intentionally and for an**  
30 **expressive purpose.**

31 [(a)] **(b) "Intimate area" means:**

32 (A) Undergarments that are being worn by a person, are covered by clothing and are intended  
33 to be protected from being seen; and

34 (B) Any of the following that are covered by clothing and are intended to be protected from  
35 being seen:

36 (i) Genitals;

37 (ii) Pubic areas; or

38 (iii) Female breasts below the point immediately above the top of the areola.

39 [(b)] **(c) "Made or recorded a photograph, motion picture, videotape or other visual image or**  
40 **recording" includes, but is not limited to, making or recording or employing, authorizing, permitting,**  
41 **compelling or inducing another person to make or record a photograph, motion picture, videotape**  
42 **or other visual image or recording.**

43 [(c)] **(d) "Nudity" means any part of the uncovered or less than opaquely covered:**

44 (A) Genitals;

45 (B) Pubic area; or

1 (C) Female breast below a point immediately above the top of the areola.

2 [(d)] (e) “Places and circumstances where the plaintiff has a reasonable expectation of personal  
3 privacy” includes, but is not limited to, a bathroom, dressing room, locker room that includes an  
4 enclosed area for dressing or showering, tanning booth and any area where a person undresses in  
5 an enclosed space that is not open to public view.

6 (f) “Private space” means:

7 (A) A bedroom or other area that a person would ordinarily use for sleeping;

8 (B) A bathroom, washroom, water closet or other area in which a person can perform  
9 private bodily functions or attend to private bodily needs; or

10 (C) Other areas that are not common areas of transient lodging or are not otherwise  
11 open to free or uninvited access by the transient lodging provider, occupants of other  
12 dwelling units within the transient lodging or visitors to the transient lodging.

13 [(e)] (g) “Public view” means that an area can be readily seen and that a person within the area  
14 can be distinguished by normal unaided vision when viewed from a public place as defined in ORS  
15 161.015.

16 (h) “Transient lodging” means:

17 (A) A hotel, motel, inn or other dwelling unit that is used for temporary human occu-  
18 pancy; or

19 (B) A house, cabin, condominium, apartment unit or other dwelling unit, or a portion of  
20 a house, cabin, condominium, apartment unit or other dwelling unit, that is used for tem-  
21 porary human occupancy.

22 (i) “Transient lodging intermediary” has the meaning given that term in ORS 320.300.

23 (j) “Transient lodging provider” means a person that provides transient lodging in return  
24 for compensation.

25 (k) “Visual image or recording” means a still or moving picture, taken or recorded by  
26 means of a mechanical or electronic camera or similar device that can capture and render  
27 a realistic and accurate facsimile of a person’s appearance for storage and later reproduction  
28 or for immediate or delayed transmission via any medium, including the Internet.

29 **SECTION 2.** This 2025 Act takes effect on the 91st day after the date on which the 2025  
30 regular session of the Eighty-third Legislative Assembly adjourns sine die.

31