

HB 2586 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 2/23

WHAT THE MEASURE DOES:

Defines abuse for purposes of the measure. Creates process for obtaining restraining order against person who is not family or household member for actions that constitute abuse as defined by the measure.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under current statutes, a person who has been subjected to sexual abuse and who reasonably fears for the person's physical safety may petition the circuit court for a restraining order per ORS 163.763. A petition seeking relief must establish that the petitioner was subjected to sexual abuse, which is defined as sexual contact with a person who does not consent to the sexual contact; or with a person who is considered incapable of consenting to a sexual act under ORS 163.315.

HB 2586 expands eligibility for a sexual assault protection order to individuals who have been subjected to abuse as defined by the measure rather than sexual abuse.