

House Bill 3186

Sponsored by Representative NERON

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**.

Describes coercive control. Modifies definition of "abuse" for purposes of Family Abuse Prevention Act to include coercive control.

A BILL FOR AN ACT

Relating to coercive control; creating new provisions; and amending ORS 107.705.

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

SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 107.700 to 107.735.

SECTION 2. A person exercises coercive control over another when the person engages in a pattern of threatening, humiliating or intimidating action that is designed to isolate and exploit the other person, including:

- (1) Isolating the other person from friends and family;**
- (2) Controlling how much money is accessible to the other person and how it is spent;**
- (3) Monitoring the other person's activities, communications and movements;**
- (4) Name-calling, degradation and frequently demeaning the other person;**
- (5) Threatening to harm or kill the other person or a child or relative of the other person;**
- (6) Threatening to publish information or make false reports to a law enforcement agency regarding the other person;**
- (7) Damaging the other person's property or household goods; and**
- (8) Forcing the other person to take part in criminal activity or child abuse.**

SECTION 3. ORS 107.705 is amended to read:

107.705. As used in ORS 107.700 to 107.735:

(1) "Abuse" means the occurrence of one or more of the following acts between family or household members:

- (a) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury.
- (b) Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury.
- (c) Causing another to engage in involuntary sexual relations by force or threat of force.
- (d) Exercising coercive control over another.**

(2) "Child" means an unmarried person who is under 18 years of age.

(3) "Coercive control" has the meaning described in section 2 of this 2021 Act.

[(3)] (4) "Declaration under penalty of perjury" means a declaration under penalty of perjury in the form required by ORCP 1 E.

[(4)] (5) "Family or household members" means any of the following:

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 (a) Spouses.

2 (b) Former spouses.

3 (c) Adult persons related by blood, marriage or adoption.

4 (d) Persons who are cohabiting or who have cohabited with each other.

5 (e) Persons who have been involved in a sexually intimate relationship with each other within
6 two years immediately preceding the filing by one of them of a petition under ORS 107.710.

7 (f) Unmarried parents of a child.

8 [(5)] (6) "Interfere" means to interpose in a manner that would reasonably be expected to hinder
9 or impede a person in the petitioner's situation.

10 [(6)] (7) "Intimidate" means to act in a manner that would reasonably be expected to threaten
11 a person in the petitioner's situation, thereby compelling or deterring conduct on the part of the
12 person.

13 [(7)] (8) "Menace" means to act in a manner that would reasonably be expected to threaten a
14 person in the petitioner's situation.

15 [(8)] (9) "Molest" means to act, with hostile intent or injurious effect, in a manner that would
16 reasonably be expected to annoy, disturb or persecute a person in the petitioner's position.

17
