

Requested by Representative WILDE

**PROPOSED AMENDMENTS TO
SENATE BILL 649**

1 In line 2 of the printed bill, after “degree;” delete the rest of the line and
2 insert “creating new provisions; amending ORS 163.425; and repealing ORS
3 163.426.”.

4 Delete lines 4 through 26 and insert:

5 **“SECTION 1.** ORS 163.425 is amended to read:

6 “163.425. (1) A person commits the crime of sexual abuse in the second
7 degree when:

8 “(a) The person subjects another person to sexual intercourse, oral or
9 anal sexual intercourse or, except as provided in ORS 163.412, penetration
10 of the vagina, anus or penis with any object other than the penis or mouth
11 of the actor and the victim does not consent thereto; or

12 “(b)(A) The person violates ORS 163.415 (1)(a)(B);

13 “(B) The person is 21 years of age or older; and

14 “(C) At any time before the commission of the offense, the person was the
15 victim’s coach [*as defined in ORS 163.426*] **or teacher.**

16 “(2) Sexual abuse in the second degree is a Class C felony.

17 **“(3) As used in this section:**

18 **“(a) ‘Coach’ means a person who instructs or trains an individual
19 or members of a team in a sport.**

20 **“(b) ‘Teacher’ means an employee of a school or school district who
21 has direct responsibility for the instruction of students.**

1 **SECTION 2. The Oregon Criminal Justice Commission shall, in**
2 **accordance with ORS 137.667 and in light of the amendments to ORS**
3 **163.425 by section 1 of this 2021 Act and the repeal of ORS 163.426 by**
4 **section 3 of this 2021 Act, reconsider the crime category level for the**
5 **crime of sexual abuse in the second degree under ORS 163.425, and**
6 **reclassify the crime into an appropriate crime category of the sen-**
7 **tencing guidelines grid of the commission.**

8 **SECTION 3. ORS 163.426 is repealed.”.**

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