

Legislative Fiscal Office

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Joint Committee on Ways and Means

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Tom MacDonald, Deputy Legislative Fiscal Officer (Budget)
Paul Siebert, Deputy Legislative Fiscal Officer (Audit/IT)

To: Public Safety Subcommittee

From: Emily Coates, Legislative Fiscal Office

Date: May 25, 2023

Subject: HB 2328 – Relating to Sex Crimes
Work Session Recommendations

HB 2328 -A modifies the definition of “oral and sexual intercourse” for purposes of sex crimes and expands the crime of using a child in a display of sexually explicit conduct, a Class A felony, to include when a person knowingly records in a visual recording a child participating or engaging in sexually explicit conduct. In addition, the measure defines “object” under ORS 163.408 to include any body part of the actor when a person commits the crime of unlawful sexual penetration, a Class B felony. The measure is effective January 1, 2024 for crimes on or after the effective date.

The measure’s modification of sex crimes is anticipated to have an indeterminate impact on the number of cases filed through the court system, but is expected to have a minimal impact in terms of incarcerations with longer sentences for these crimes, but relatively few new convictions.

A staff measure summary and fiscal impact statement are available on the Oregon Legislative Information System (OLIS). There is no amendment to the measure.

Final Subcommittee Action

LFO recommends that HB 2328 be moved to the Ways and Means Full Committee.

MOTION: I move HB 2328 to the Full Committee with a do pass recommendation.
(VOTE)

Carriers

Full Committee: _____
House Floor: _____
Senate Floor: _____