

Requested by Senator MEEK

**PROPOSED AMENDMENTS TO
SENATE BILL 974**

1 On page 1 of the printed bill, line 2, after “161.005,” insert “163.412,”.

2 Delete lines 5 through 18 and insert:

3 **“SECTION 1. (1) A person commits the crime of sexual abuse by**
4 **fraudulent representation if the person is a licensee and knowingly:**

5 **“(a) Subjects another person to sexual contact; and**

6 **“(b) Falsely or fraudulently represents to the other person that the**
7 **sexual contact serves a legitimate medical purpose.**

8 **“(2) Sexual abuse by fraudulent representation is a Class B felony.**

9 **“(3) The Oregon Criminal Justice Commission shall classify sexual**
10 **abuse by fraudulent representation as a crime category 8 of the sen-**
11 **tencing guidelines grid of the commission.**

12 **“(4) As used in this section:**

13 **“(a) ‘Licensee’ has the meaning given that term in ORS 676.150.**

14 **“(b) ‘Sexual contact’ has the meaning given that term in ORS**
15 **163.305.”.**

16 On page 3, line 22, delete “assault” and insert “abuse”.

17 On page 4, after line 26 insert:

18 **“SECTION 3a. ORS 163.412 is amended to read:**

19 **“163.412. Nothing in ORS 163.408, 163.411 or 163.452 prohibits a pene-**
20 **tration described in those sections when:**

21 **“(1) The penetration is part of a medically recognized treatment or diag-**

1 nostic procedure **and is for a legitimate medical purpose**; or

2 “(2) The penetration is accomplished by a peace officer or a corrections
3 officer acting in official capacity, or by medical personnel at the request of
4 such an officer, in order to search for weapons, contraband or evidence of
5 crime.”.

6 On page 5, line 38, delete “assault” and insert “abuse”.

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