

SB 385 A STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Gillian Fischer, LPRO Analyst

Meeting Dates: 5/8

WHAT THE MEASURE DOES:

The measure modifies the offense of making a false report of child abuse. It elevates the severity of the offense from a Class A violation to a Class B misdemeanor for a first offense, a Class A misdemeanor for a second offense, and a Class C felony for a third or subsequent offense. The measure takes effect on the 91st day following adjournment sine die.

Passed. Ayes, 27; Excused, 3--Hayden, Patterson, Starr.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under ORS 419B.016, a person commits the offense of making a false report of child abuse if, with the intent to influence a custody, parenting time, visitation or child support decision, the person: (a) makes a false report of child abuse to the Department of Human Services or a law enforcement agency, knowing that the report is false; or (b) with the intent that a public or private official make a report of child abuse to the Department of Human Services or a law enforcement agency, makes a false report of child abuse to the public or private official, knowing that the report is false. Currently, making a false report of child abuse is a Class A violation.

Senate Bill 385A increases the criminal severity of the offense from a Class A violation to a Class B misdemeanor for the first offense, a Class A misdemeanor for a second offense, and a Class C felony for a third or subsequent offense.