

House Bill 2974

Sponsored by Representative HARTMAN (Presession filed.)

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**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act changes the meaning of a term and enhances a sentence for some crimes involving children. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 77.8).
Modifies the meaning of "sexually explicit conduct" for certain crimes involving children.
Directs the Oregon Criminal Justice Commission to classify invasion of personal privacy in the first degree as a crime category 8 on the sentencing guidelines grid when the victim is a minor.
Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to crimes involving children; creating new provisions; amending ORS 163.701; and pre-
3 scribing an effective date.

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

5 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 163.665 to**
6 **163.693.**

7 **SECTION 2. Notwithstanding ORS 163.665, as used in ORS 163.670, 163.684, 163.686 and**
8 **163.687, "sexually explicit conduct" includes the exhibition or display of the sexual or other**
9 **intimate parts of a child when the child is being observed or recorded for the specific intent**
10 **of arousing the sexual desire of the observer or recorder, regardless of whether the child**
11 **knows that the child is being observed or recorded.**

12 **SECTION 3. ORS 163.701 is amended to read:**

13 163.701. (1) Except as provided in ORS 163.702, a person commits the crime of invasion of per-
14 sonal privacy in the first degree if:

15 (a)(A) The person knowingly makes or records a photograph, motion picture, videotape or other
16 visual recording of another person in a state of nudity without the consent of the other person; and

17 (B) At the time the visual recording is made or recorded the person being recorded is in a place
18 and circumstances where the person has a reasonable expectation of personal privacy; or

19 (b) The person violates ORS 163.700 and, at the time of the offense, has a prior conviction for:

20 (A) Invasion of personal privacy in any degree, public indecency, private indecency or a sex
21 crime as defined in ORS 163A.005; or

22 (B) The statutory counterpart of an offense described in subparagraph (A) of this paragraph in
23 another jurisdiction.

24 (2)(a) Invasion of personal privacy in the first degree is a Class C felony.

25 (b) The Oregon Criminal Justice Commission shall classify invasion of personal privacy in the
26 first degree as:

27 (A) Crime category 6 of the sentencing guidelines grid of the commission.

28 (B) **Crime category 8 of the sentencing guidelines grid of the commission, if the person**

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 **whose privacy is invaded is under 18 years of age.**

2 (3) The court may designate invasion of personal privacy in the first degree as a sex crime under
3 ORS 163A.005 if the court finds that the circumstances of the offense require the defendant to reg-
4 ister and report as a sex offender for the safety of the community.

5 **SECTION 4. Section 2 of this 2025 Act and the amendments to ORS 163.701 by section 3**
6 **of this 2025 Act apply to conduct occurring on or after the effective date of this 2025 Act.**

7 **SECTION 5. This 2025 Act takes effect on the 91st day after the date on which the 2025**
8 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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