

House Bill 3586

Sponsored by Representative HARTMAN; Representatives BOICE, LEVY E, SCHARF, Senator PATTERSON

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 creates a cause of action against a person who removes a condom without consent. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 77.1).

Creates a civil cause of action against a person who removes a condom without the consent of the plaintiff.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to sexual battery; and prescribing an effective date.

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

3 **SECTION 1. (1) A plaintiff may bring a civil action for sexual battery against a person**
4 **if:**

5 **(a) The person engages in any form of sexual intercourse with the plaintiff;**

6 **(b) There is an agreement between the parties that a condom will be used during the**
7 **intercourse; and**

8 **(c) Prior to or during the intercourse, the person intentionally removes the condom**
9 **without the plaintiff's verbal consent, causing direct contact between a sexual organ, mouth**
10 **or anus of the plaintiff and a sexual organ of the person.**

11 **(2) A plaintiff who prevails in a cause of action for sexual battery under this section may**
12 **recover:**

13 **(a) Special and general damages, including damages for emotional distress;**

14 **(b) Punitive damages;**

15 **(c) Reasonable attorney fees and costs; and**

16 **(d) Any other appropriate equitable relief.**

17 **(3) As used in this section, "any form of sexual intercourse" means oral or anal sexual**
18 **intercourse or sexual intercourse as those terms are defined in ORS 163.305.**

19 **SECTION 2. Section 1 of this 2025 Act applies to conduct occurring on or after the ef-**
20 **fective date of this 2025 Act.**

21 **SECTION 3. This 2025 Act takes effect on the 91st day after the date on which the 2025**
22 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

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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.