

# House Bill 3770

Sponsored by Representative BOICE

## 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 new crime related to adoption. (Flesch Readability Score: 75.5).

Provides that the crime of buying or selling a person under 18 years of age includes conduct related to adoption.

Creates the crime of unlawful adoption activity. Punishes by a maximum of 30 days' imprisonment, \$1,250 fine, or both.

## A BILL FOR AN ACT

1  
2 Relating to unlawful adoption activity; creating new provisions; and amending ORS 163.537.

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

4 **SECTION 1.** ORS 163.537 is amended to read:

5 163.537. (1) A person commits the crime of buying or selling a person under 18 years of age if  
6 the person buys, sells, barter, trades or offers to buy or sell the legal or physical custody of a  
7 person under 18 years of age **for any purpose, including for purposes of adoption.**

8 (2) Subsection (1) of this section does not:

9 (a) Prohibit a person in the process of adopting a child from paying the fees, costs and expenses  
10 related to the adoption as allowed in ORS 109.281.

11 (b) Prohibit a negotiated satisfaction of child support arrearages or other settlement in favor  
12 of a parent of a child in exchange for consent of the parent to the adoption of the child by the  
13 current spouse of the child's other parent.

14 (c) Apply to fees for services charged by the Department of Human Services or adoption agen-  
15 cies licensed under [*ORS 412.001 to 412.161 and 412.991 and*] ORS chapter 418.

16 (d) Apply to fees for services in an adoption pursuant to a surrogacy agreement.

17 (e) Prohibit discussion or settlement of disputed issues between parties in a domestic relations  
18 proceeding.

19 (3) Buying or selling a person under 18 years of age is a Class B felony.

20 **SECTION 2.** **Section 3 of this 2025 Act is added to and made a part of ORS 163.505 to**  
21 **163.575.**

22 **SECTION 3.** (1) **A person commits the crime of unlawful adoption activity if the person**  
23 **knowingly:**

24 (a) **Places or offers a child for adoption and is not the child's birth parent;**

25 (b) **Advertises in a newspaper or other periodical, or by radio, television, Internet or any**  
26 **other public medium, that the person will place a child for adoption;**

27 (c) **Causes any advertisement to be published in a newspaper or other periodical, or**  
28 **broadcast by radio, television, Internet or any other public medium, soliciting, requesting or**  
29 **asking for a child to place for adoption; or**

**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       **(d) Accepts, supplies, provides or obtains a child for adoption.**

2       **(2) Unlawful adoption activity is a Class C misdemeanor.**

3       **(3)(a) Subsection (1) of this section does not apply to a person acting on behalf of an**  
4 **Oregon licensed adoption agency.**

5       **(b) Subsections (1)(b) to (d) of this section do not apply to an attorney licensed to prac-**  
6 **tice in Oregon.**

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