

**SB 385 STAFF MEASURE SUMMARY**

**Senate Committee On Judiciary**

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**Meeting Dates:** 2/4

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**WHAT THE MEASURE DOES:**

Modifies the offense of making a false report of child abuse. Elevates the severity of the offense of making a false report of child abuse from a Class A violation to a Class A misdemeanor for the first or second offense. Provides that making a false report of child abuse is a Class C felony for a third or subsequent offense. Takes effect on the 91st day following adjournment sine die.

**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 385 would remove the requirement that a person intend to influence custody or parenting time as part of the offense. The measure would also increase the severity of the offense from a Class A violation to a Class A misdemeanor for the first or second offense and a Class C felony for a third or subsequent offense.