



2023 LEGISLATIVE REPORT



OREGON ASSOCIATION CHIEFS OF POLICE



OREGON STATE SHERIFFS' ASSOCIATION

STATE OF OREGON

2023 LEGISLATIVE SESSION

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2023 Legislative Session “New Laws” Report

On Sunday afternoon June 25th at 4:26 p.m., the Oregon legislature adjourned the 2023 session “Sine Die.” As per our Oregon Constitution, the legislative session in odd-numbered years is constitutionally restricted to a duration of 180 days which requires all legislative business to be completed by midnight on the 25th. Undoubtedly, this session will be remembered as one of the most challenging and contentious in recent memory. The session was interrupted beginning on May 3rd when Senate Republicans and Independents refused to attend floor sessions. The move denied the quorum necessary to conduct business on the Senate floor and brought the Senate to a standstill. The walkout aimed to:

- Block three measures expanding abortion and gender transition rights (HB 2002), increasing gun restrictions (HB 2005), and changing the Oregon Constitution to repeal the policy of recognizing only heterosexual marriages.
- Stop Senate leadership from violating a 44-year-old law on bill summaries' readability.
- Protest alleged mistreatment of the minority by the Democrat majority in the Senate.

Intense negotiations over the weekend of June 17th and 18th resulted in an agreement that brought back Republican Senators, ensuring the session's continuation. This prevented the session from concluding without passing agency budgets and policy measures and eliminated the need for Special Sessions during the interim. Under the pressure of the session deadline and facing a substantial backlog of bills, the Senate managed to vote on over 350 bills within a span of less than 2 weeks.

The six-week walkout is notable because it was the longest walkout in Oregon’s history, and because it followed the passage of Ballot Measure 113 in 2021, which penalizes any legislator with over 10 unexcused absences by preventing them from serving following their next reelection. Eight of the Republican Senators and the two Independent Senators reached the 10 unexcused absences that trigger the penalty in BM 113. They will forfeit their ability to serve beyond their current term pending court challenges that are filed to challenge the measure.

Despite a very challenging political environment this session, we engaged productively and were able to keep problematic measures from moving forward, to pass positive legislation and to secure funding for critical projects.

❖ GETTING THE MOST FROM THIS REPORT

Accessing the complete text of a measure:

While the following report attempts to provide a significant amount of detail regarding the provisions of adopted legislation, you may want to read the actual language of the bill. To read the actual text of a new law, simply click on the bill number on the left side of the report and a pdf of the “Enrolled Bill” will open. As a bill makes its way through the legislative process, earlier versions of a bill will identify current language that is being removed in *italics* and new language in **bold text**. However, the enrolled bill shows the final language of the law as it will appear initially in Oregon Laws and eventually in the Oregon Revised Statutes.

The difference between Oregon Laws vs. Oregon Revised Statutes

What are the “Oregon Laws”?

At the end of every legislative session, all the bills passed by the House and Senate and signed by the Governor are combined into a publication called the “Oregon Laws”. In addition to legislative measures, the Oregon Laws also includes legislative resolutions, the text of statutory initiatives adopted by voters for the regular session that follows the election and supplemental documents including the index, tables and foreword. Each bill that is signed by the Governor is assigned an Oregon Laws chapter number by the Secretary of State. Chapter numbering begins with 1 for each regular or special session. While legislation will eventually receive an Oregon Revised Statute (ORS) citation, the Oregon Laws chapter citation is the reference until it does and law enforcement will cite to an Oregon Laws reference until an updated ORS cite is identified for provisions of the law.

When are the Oregon Revised Statutes Updated?

The Oregon Revised Statutes constitute the codified laws of the State of Oregon and they are published every two years. Each addition incorporates all laws and changes to laws enacted by the Legislative Assembly through the odd-numbered year regular session referenced in the volume titles for that edition. In other words, the 2023 Edition of the Oregon Revised Statutes includes the law changes made by the Oregon Legislature during the 2023 Legislative Session. The next ORS update will be published by the end of 2025.

Paying attention to effective dates and operative dates:

In Oregon and many other jurisdictions, legislative measures may have two distinct dates that are important for their implementation and enforcement: the effective date and the operative date.

1. **Effective Date:** The effective date of a legislative measure refers to the date on which the law officially comes into existence and becomes legally binding. It is the date when the law is signed or enacted by the appropriate authority and is officially part of the legal system. From the effective date onward, the law is considered valid and enforceable.
 - Default Effective Date: If there is no specific effective date mentioned in the final text of a bill, the effective date is always January 1st of the following year. For bills passed during the 2023 Legislative Session, these measures will take effect on January 1st, 2024.
 - 90 Days After Sine Die Effective Date: Some measures designate that a measure will take effect 90 days after the last day of session. For the 2023 Legislative Session, the date would be September 24, 2023.
 - “Emergency Clause” - Takes Effect Upon Passage Date: The terminology for an effective date that occurs “upon passage” is called an “Emergency Clause” because these bills take effect immediately once the Governor signs the bill. An “Emergency Clause is intended to address situations where the legislature determines the measure is necessary for the immediate preservation of the public peace, health and safety

2. **Operative Date:** The operative date of a legislative measure is the date on which the law's provisions and requirements become operational and applicable. This date specifies when the law's provisions must be followed, and its requirements must be adhered to. Sometimes, the operative date might be different from the effective date. This gap may be necessary to:
 - Provide time to educate the public regarding a new measure.
 - Delay any potential cost of implementing provisions of a bill into the future.
 - Give impacted organizations/agencies, time to adjust to the new requirements/provisions.

In some cases, legislative measures include provisions that specify different effective and operative dates. For instance, a law may become effective immediately upon being signed by the governor, but certain provisions within the law might have a delayed operative date to provide affected parties with sufficient time to adjust and comply with the new requirements.

Legal Disclaimer

This report is informational and should not be considered legal advice or counsel. While we have made every attempt to ensure the accuracy of the contents of this report, please consult with your county counsel or city attorney for legal direction regarding your understanding of the laws and their implementation.

2023 Public Safety Legislation

❖ ALCOHOL - DUII & PRESCRIPTION DRUGS

[HB 2316](#) - DUII Expansion | Any Impairing Substance

Effective Date: January 1, 2024	2023 Oregon Laws Site: Pending
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HB 2316 includes the following key provisions:

- Expands the definition of "intoxicant" in the Oregon Vehicle Code to include any drug alone or in combination with intoxicating liquor, controlled substances, inhalants, cannabis, or psilocybin, affecting a person's mental or physical abilities noticeably.
- Authorizes courts to impose a minimum fine of \$500 for DUI convictions while riding a bicycle and a minimum fine of \$1,000 for a blood alcohol percentage of 0.15 percent or higher while riding a bicycle or within two hours after riding without consuming alcohol.
- Creates an affirmative defense for driving under the influence of intoxicants other than intoxicating liquor, controlled substances, inhalants, cannabis, or psilocybin if the defendant followed directions and warnings prescribed by a licensed healthcare professional or consumed a recommended dose without a prescription and experienced a reaction.
- Applies to conduct occurring on or after the effective date of the act.
- Note: We have attempted to pass this legislation for the past 15 years so this is a success to celebrate.

[HB 3308](#) - OLCC Authorization to issue delivery permits

Effective Date: September 24, 2023	2023 Oregon Laws Site: Pending
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HB 3308 includes the following provisions:

- Authorizes the Oregon Liquor and Cannabis Commission to issue a delivery permit to qualified applicants for the delivery of alcoholic beverages to final consumers.
- Requires third-party delivery facilitators to hold a permit issued by the commission in order to facilitate sales and deliveries of alcoholic beverages.
- Imposes requirements, including training, on delivery persons and third-party delivery facilitators.
- Specifies the liability of third-party delivery facilitators and eligible businesses.

- Prohibits individuals without a third-party delivery facilitator permit from engaging in activities that require such a permit. Violations can result in a maximum penalty of 364 days' imprisonment, a \$6,250 fine, or both.
- Authorizes the commission to impose civil penalties on third-party delivery facilitators for violations committed by the facilitator or delivery person acting on behalf of the facilitator.
- Requires the commission to develop uniform standards for minor decoy operations to investigate deliveries of alcoholic beverages to final consumers for violations of laws prohibiting deliveries to minors.
- Becomes operative January 1, 2024.
- Expands the categories of persons prohibited from selling, giving, or otherwise making alcoholic liquor available to individuals under 21 years of age.

SB 568 – Ignition Interlock Device – Motions to Vacate Hearings

Effective Date: January 1, 2024	2023 Oregon Laws Site: Chapter 135
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SB 568 includes the following key provisions:

- Eliminates the requirement for the court to hold a hearing on every motion to vacate an ignition interlock device (IID) installed in a person’s vehicle during their participation in a driving while under the influence of intoxicants (DUII) diversion program.
- Requires the court to hold a hearing if the district attorney or city prosecutor:
 - Contests the motion
 - Requests a hearing
 - Files a written objection with the court within 10 days after the date of service.
- Requires the defendant filing a motion to vacate the IID requirement to include the following with the motion:
 - An affidavit or declaration that states the defendant is in compliance with the diversion program
 - A copy of the certificate from the IID provider stating the device has not recorded a negative report;
 - A letter signed by a treatment counselor stating that the defendant follows any ordered treatment.
- Applies to petitions filed on or after the effective date of the measure.

❖ BEHAVIORAL HEALTH - CIVIL COMMITMENT - FITNESS TO PROCEED

HB 2405 - Transportation Mandate for Dismissed Charges Involving Defendants Lacking Fitness to Proceed

Effective Date: January 1, 2024	2023 Oregon Laws Site: 227
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HB 2405 includes the key provisions:

- Directs courts to order the immediate transportation of a defendant back to the jurisdiction in which charges were initiated if they intend to dismiss all charges involving orders of commitment.
- Applies to defendants who are currently located at a state mental hospital or another facility and are deemed unfit to proceed.
- Specifies that the dismissal of charges will only take effect upon the defendant's arrival in the jurisdiction in which the charges were initiated.

HB 2235 - OHA Work Group | Major Barriers to Workforce Recruitment and Retention in Publicly Financed Behavioral Health System

Effective Date: August 1, 2023	2023 Oregon Laws Site: Pending
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HB 2235 includes the key provisions:

- Requires Oregon Health Authority (OHA) to convene a work group to study major barriers to workforce recruitment and retention in the state's publicly financed behavioral health system.
- Specifies the membership of the work group.
- Requires the work group to develop recommendations related to behavioral health workforce recruitment, retention, administrative burdens, reimbursement, caseloads, and burnout.
- Specifies the needs and impacts that the work group should consider while developing recommendations.
- Requires OHA to report to the Legislative Assembly on the work group's initial recommendations by January 15, 2025, and final recommendations by December 15, 2025.

HB 2757 - 9-8-8 Funding – Suicide Prevention & Behavioral Health Crisis Hotline.

Effective Date: September 24, 2023	2023 Oregon Laws Site: 251
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HB 2757 includes the following key provisions:

- Establishes 9-8-8 Trust Fund for improving the statewide coordinated crisis system, including maintaining and improving 9-8-8 suicide prevention and behavioral health crisis hotline.
- This fund Imposes tax of:
 - 40 cents per line per month on consumers and retail subscribers who have telecommunications service or interconnected Voice over Internet Protocol (VOIP) service; and
 - 40 cents per transaction for prepaid telecommunications services, to pay for the crisis services system.
- Prohibits local governments from imposing tax, fee, or surcharge for 9-8-8 services.
- Requires crisis hotline center to have policies and employee training on other racially and ethnically diverse communities.
- Requires that crisis hotline center staff include individuals who possess the linguistic and cultural competency to respond to individuals within the communities served.
- Requires cities to enter into memorandum of understanding (MOU) with a county when providing mobile crisis intervention services and specifies contents of MOU.
- Requires the Oregon Health Authority to establish an advisory committee to provide primary oversight and direction on operation of statewide coordinated crisis systems.
- Exempts services provided under the Oregon Lifeline program from the new tax.
- Provides appropriation to the Department of Revenue for administration costs.
- Applies tax to subscriptions and retail transactions beginning January 1, 2024.
- Sunsets the tax on January 1, 2030 to align with the sunset date of the 911 tax.

HB 3426 - 9-8-8 Specialized Staff Training – Serving First Responders

Effective Date: January 1, 2024	2023 Oregon Laws Site: Pending
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HB 3426 includes the following key provisions:

- Amends 9-8-8 operator staff training and policies to include firefighters and first responders as high-risk and specialized populations.
- **Background:** The National Suicide Hotline Designation Act passed unanimously by Congress October 2020 and replaced the National Suicide Hotline number with the three-

digit number "9-8-8". The Legislative Assembly appropriated \$15 million in House Bill 2417 (2021) to the Oregon Health Authority (OHA) to establish 9-8-8 call centers and enhance mobile crisis services. House Bill 2417 also required 9-8-8 call centers to establish policies and train staff on serving high-risk and specialized populations.

❖ BUDGET HIGHLIGHTS – FUNDING MEASURES

[HB 5019](#) – Governor’s Housing & Homelessness Funding Package

Effective Date: March 23, 2023	2023 Oregon Laws Site: Chapter 15
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HB 5019 provides for expenditures to address homelessness and support a variety of local service providers, in both the 2021-23 and 2023-25 in keeping with Governor Kotek’s declared homelessness emergency (Executive Order 23-02). The emergency declaration extends for a period of 12 months from the initial declaration on January 10, 2023, and as such, spans two biennia. HB 5019 appropriates the following on a onetime basis for homelessness prevention services, addressing unsheltered homelessness in specified areas and in other areas of the state, and for services and assistance to youth experiencing homelessness:

- \$158,856,981 General Fund to HCSD
- \$1,646,556 General Fund to ODEM
- \$19,921,469 General Fund to DHS (one-time basis)

The measure also repurposes \$30,623,741 of unspent 2021-23 resources originally allocated to Oregon Housing and Community Services Division (HCSD) in the previous legislative sessions.

The measure provides for expenditures as follows:

- **Eviction Prevention:** Funding totaling \$7,386,826 in the 2021-23 biennium and \$26,213,174 in the 2023-25 biennium is allocated to the Oregon Eviction Diversion and Prevention (ORE-DAP) program and the Eviction Prevention Rapid Response (EPRR) program. The funding aims to prevent homelessness for 8,750 households by providing eviction prevention interventions, including emergency rental assistance and legal or mediation services.
- **Long-Term Rental Assistance Program Design:** \$200,000 is approved in the 2021-23 biennium for the Housing and Community Services Department (HCSD) to develop and design a statewide long-term rental assistance program.
- **Local Homelessness Emergency Plans:** \$20,900,000 is available in the 2021-23 biennium, and \$64,300,000 in the 2023-25 biennium, to fund local emergency homelessness plans. The funding is allocated to seven continuum of care regions in the

state that have seen a 50% or more increase in unsheltered homelessness from 2017-2022. The resources will support plans submitted by local Multi-Agency Coordinating (MAC) groups in each region to address capacity gaps and meet the goals outlined in the Executive Order through:

- increased shelter capacity and connections to shelter;
 - rapid rehousing initiatives, including a guarantee to landlords through the HCSD housing choice guarantee program, prepaid rent assistance, and block leasing;
 - capacity support for culturally responsive organizations to ensure they have staffing, information technology, and other resources necessary for local delivery of services; and
 - sanitation services for local communities that may include trash removal, removal of biohazards, and basic sanitation services, but do not include removal or relocation of encampments.
- **Tribal Funding:** \$5,000,000 in General Fund is approved for services to homeless members of Oregon's federally recognized tribes, both within designated emergency areas and throughout the state, in the 2023-25 biennium.
 - **Oregon Housing and Community Services Department (HCSD) Funding:**
 - \$1,125,824 in General Fund money for 13 permanent positions in HCSD during the 2021-23 biennium. The positions execute contracts with MAC groups and eviction prevention providers, as well as monitor outcomes.
 - \$1,145,303 in General Fund money for these positions for the first six months of the 2023-25 biennium. Seven additional positions are also supported during this period.
 - **Oregon Department of Emergency Management (ODEM) Funding:** \$923,925 in General Fund money is allocated for 2021-23 to establish six new limited duration positions and partially fund nine existing positions. They coordinate efforts to address homelessness in emergency declared areas, act as Regional Coordinators, provide technical assistance to MAC groups, and allocate resources. In 2023-25, \$722,631 in General Fund money extends the six limited duration positions for twelve months to address anticipated needs after the emergency declaration ends.
 - **Balance of State (Rural) Continuum of Care:** \$26,135,000 General Fund allocated to HCSD for homelessness initiatives in OR-505 Oregon Balance of State Continuum of Care. Funds distributed via master grant agreement with CAAs, considering capacity, homelessness rates, and income levels. HCSD may fund Response Offices, local governments, or culturally specific organizations when CAA capacity is limited. Funding for the Oregon Rural Continuum of Care (shelter, rehousing, capacity support, and sanitation services) include:

- Estimated costs of \$4,200,000 to support 100 new shelter beds, street outreach workers, and administrative expenses. If the beds are available throughout the 2023-25 biennium, an additional estimated \$6,300,000 would be needed.
- Estimated costs of \$16,560,000 to rehouse 450 individuals through rental assistance and landlord incentives.
- Estimated costs of \$2,750,000 to secure 225 housing units through block leasing, with \$1,125,000 available for landlord damage guarantees.
- Assumed costs of \$1,875,000 for capacity funding for culturally responsive organizations.
- Up to \$750,000 for sanitation services, excluding encampment removal.
- \$1,250,000 allocated for professional services to facilitate coordination and service goals in the Oregon Rural Continuum of Care.
- **Youth Homelessness:** Funding to address youth homelessness includes:
 - \$5,000,000 in General Fund for the Housing and Community Services Department's Emergency Housing Account to support services for school-aged children and their families experiencing or at risk of homelessness.
 - \$200,854 in General Fund for a limited duration Program Analyst 2 position for agency administration.
 - \$12,500,000 in General Fund for the Department of Human Services (DHS) grants promoting access to shelter facilities, outreach, culturally specific services, and mental health or substance abuse services for homeless youth.
 - \$6,250,000 for DHS one-time grants to expand host home projects.
 - \$1,171,469 in General Fund and five limited duration positions for DHS administration of programs and services for youth experiencing homelessness.

SB 5504 - Oregon Department of Corrections (DOC) Budget

Effective Date: July 18, 2023	2023 Oregon Laws Site: Pending
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SB 5504 appropriates money to the Oregon Department of Corrections (DOC) for certain biennial expenses. Here are the budget highlights:

- Senate Bill 5504 – DOC budget summary:
 - Total budget of \$2,231,200,557 total funds comprised of \$2,140,894,300 General Fund, \$90,006,257 Other Funds expenditure limitation, \$300,000 Federal Funds expenditure limitation, and 4,813 positions (4,749.53 FTE)..
 - Represents a 2.7% increase from the 2023-25 current service level and a 2.8% increase from the 2021-23 Legislatively Approved Budget.

- Received funding for:
 - A pilot Substance Use Disorder (SUD) program and a drug-sniffing dog pilot program (see Budget Notes section, below).
 - Additional funding for food, utilities, and AIC personal care products for which the department has seen budget reductions over the years, and yet, have been subject of significant inflation.
 - One-time funding to help with costs associated with Habeas Corpus lawsuits related to COVID.
 - General Fund backfill for State Criminal Alien Assistance Program (SCAAP) federal program; a grant program for which we will no longer be able to apply.
 - One-time funding to backfill a portion of the mandated caseload reduction to Community Corrections from the April 2023 prison population forecast. This amount is intended to mitigate the loss of county personnel because of the reduced forecasted caseload.

- Received direction to:
 - Use FEMA funding to off-set General Fund reductions (and are already working with DAS SARS to ensure we accurately account for such).
 - Use proceeds from sale of property which was the Mill Creek Correctional Facility (MCCF) in Salem, to offset General Fund reductions.

- Community Corrections-Specific:
 - The Community Corrections Grant in Aide (GIA) budget request was based on “continuing service level” with inflation and projected caseload adjustments for a total of:
 - The GRB GIA allocated \$235,986,712 for the 2023-25 Biennium.
 - The LAB GIA was adjusted based on projected caseload changes totaling \$255,363,747 for the 2023-25 biennium.

 - Counties identified that the caseload projections anticipated a caseload reduction in 2023-25 and a corresponding increase in 2025-27. Counties believed this would cause a one biennium \$20M deficit in Personal Services and requested such from the legislature. This ‘need’ for an additional \$20M was verified by the Department using the following calculation (based on the fact counties spend approximately 65.8% of their GIA budget for personal services).
 - Community Corrections Grant in Aide (GIA) \$20 million request:

▪ ARB caseload reduction	\$49,721,897
▪ <u>GRB caseload Increase</u>	<u>\$19,377,035</u>
▪ Total caseload Change	\$30,344,862
▪ <u>GIA Personal Services</u>	<u>65.8%</u>
▪ Personal Services Impact	\$19,966,919

- Community Corrections GIA when Accounting for the April 2023 Forecast – which shows an additional caseload reduction driving the total deficit to \$25M.
 - 23-25 ARB: -\$49,721,897
 - 23-25 GBB: \$19,377,035
 - 23-25 LAB: -\$8,763,617
 - **TOTAL:** -\$39,108,479 x 65.8% Personal Services portion = **\$25,733,379**

SB 5505 - Oregon Criminal Justice Commission (CJC) Budget

Effective Date: July 18, 2023	2023 Oregon Laws Site: Pending
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SB 5505 appropriates money to the Oregon Criminal Justice Commission for certain biennial expenses. Appropriations to the CJC were also included in SB 5506, an omnibus state budget measure. Here are the budget highlights:

- Justice Reinvestment Grant:
 - Funded at CSL \$53,924,630 via HB 5505.
 - SB 344 extends the JRI program until 2033.
- Illegal Marijuana Market Enforcement Grant:
 - Funded at \$6M in HB 5505.
 - Additional \$5M provided in SB 5506.
 - Provides funding to local law enforcement for pursuing and eradicating illegal marijuana grow operations.
 - Supports community-based organizations assisting victims of the humanitarian crisis related to illegal marijuana cultivation.
- Specialty Courts Grant:
 - Funded at CSL in HB 5505.
 - Amounts to \$15,986,215 in state grant funds available to local jurisdictions.
- IMPACTS Grant:
 - Provides funds to local governments and Federally recognized Indian Tribes.
 - Supports programs that provide services to individuals who are high utilizers of criminal justice and behavioral health system resources.
 - Received \$10M in additional funding via SB 5506.
- Family Preservation Project:
 - Passes through state GF to the YWCA of Greater Portland.
 - Supports the administration of the Family Preservation Project in Coffee Creek Correctional Facility.
 - Received \$650K in pass-through funding via SB 5506.

- Retail Theft Grant:
 - Established by SB 900.
 - Provides a grant to assist local cities, counties, state police, and community-based organizations in curbing and addressing organized retail theft.
 - Initial capitalization of \$5M provided via SB 900.

SB 5530 - Oregon State Police (OSP) Budget

Effective Date: July 18, 2023	2023 Oregon Laws Site: Pending
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SB 5530 appropriates moneys to the Department of State Police for certain biennial expenses. OSP also received appropriations in HB 5006, the omnibus state budget measure. The budget highlights include:

- Senate Bill 5530 (OSP Budget Bill):
 - Total budget of \$611.3 million and 1,370 positions.
 - Represents a 2.7% increase in General Fund compared to the current service level and a 3.7% increase in total funds.
- Investments included in Senate Bill 5530:
 - Funding compensation increases for current and future Medical Examiner positions.
 - Adding two additional Deputy Medical Examiners and two lab technicians to address the backlog.
 - Continuing ten positions to address the backlog in firearms background checks.
 - Funding rent for the new long-term evidence storage facility in Wilsonville.
 - Critical equipment funding for ballistic vests, tasers, intoxylizers, Mobile Data Terminals, and computers.
 - Supporting budget shortfalls resulting from the State Fires Marshal becoming an independent agency.
 - Supports position authority and funding for fourteen positions to address legacy budget shortfalls.
 - Includes accounting, IT, administrative support, HR, and Command Center supervisors.
 - Allows OSP to hire 20 trooper positions that were previously vacant.
- House Bill 5006 (Six-Year Limitation Bill for Bond Issuances and Capital Construction Expenses):
 - Supports \$55 million of new requests and continuation of requested Q bond authorization.
 - Funds OSP capital construction projects approved in the 2021 legislative session.

- Projects include Central Point Area Command, Eugene Forensic Lab and Medical Examiner's Office, and Springfield Area Command.
- Senate Bill 5506 (End of Session Bill for OSP):
 - Includes statewide adjustments and a \$7.59 million funding set aside in a Special Purpose Appropriation (SPA).
 - The SPA funds are reserved in case BM 114 moves out of court processes, requiring future Emergency Board approval for additional support.

**SB 5533 - Department of Public Safety Standards and Training (DPSST)
Budget**

Effective Date: July 27, 2023	2023 Oregon Laws Site: Pending
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SB 5533 appropriates moneys to the Department of Public Safety Standards and Training. Here are the budget highlights:

- Senate Bill 5533 (DPSST Budget Bill):
 - Total budget of \$83,303,104 total funds and 186 positions (184.75 FTE). The total funds include \$8,773,470 General Fund, \$66,906,585 Other Funds, and \$7,623,049 Federal Funds expenditure limitation.
- Police Basic Training – Addressing the backlog:
 - Funding appropriated to the Department to increase the number of standard 40-person Basic Police courses from 16 to 20 in the 2023-25 biennium. It includes funding for permanent instructors, reducing reliance on agency loaned positions and lowering overtime costs. The total cost for the increased courses is \$2,658,000.
 - Funding appropriated for a pilot program for the Department to run three 60-student Basic Police Courses. The courses will run concurrently with four other basic police courses supported by funding from Package 090. The pilot program's total cost is \$6,417,983 and requires 19 positions. split between two divisions. If the pilot is successful, the legislature will fund the additional 60 person classes necessary to meaningfully reduce the backlog.
 - Funding for the Department of State Police (OSP) to operate three of their own Basic Police courses using OSP’s training staff and the DPSST facility. These classes would operate in November 2023, April 2024, and July 2024, and would also run concurrently with the other courses being offered at the academy.
 - With these additional courses and increased student capacity, the total number of basic police students is anticipated to be 1,110 over the 2023-25 biennium.

SB 5541 - Oregon Youth Authority Budget

Effective Date: July 27, 2023	2023 Oregon Laws Site: Pending
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SB 5541 appropriates moneys to the Oregon Youth Authority for certain biennial expenses. The budget highlights include:

- Staffing MacLaren, Oak Creek, and Camp Florence with 4 qualified mental health professionals (QMHPs)
- Managing and providing equipment for facility camera infrastructure through security closed circuit tv (CCTV) positions
- Allocating 2 group life coordinators (equivalent to correction officers) for the Jackie Winters Transition Program
- Establishing a Crime Victims Advocate program with 2 positions
- Providing over 12 million in funding for OYA and ODHS to support the behavioral rehabilitation system and pay residential providers at a revised rate that better captures true costs
- Adding 3 positions in Human Resources for Diversity, Equity, and Inclusion (DEI) manager training and succession planning
- Enhancing and diversifying agency procurement efforts through new positions
- Adding an additional position for payroll
- Allocating funds to continue the Juvenile Justice Information System (JJIS) Modernization
- Permanently closing two living units at MacLaren and reducing subsequent staff (to be addressed via vacancies)
- Reducing funds for residential programs that were budgeted previously but not used due to low youth demand.

❖ CORRECTIONS – JAILS - PAROLE & PROBATION

HB 2345 - Adults in Custody Dashboard

Effective Date: January 1, 2024	2023 Oregon Laws Site: 245
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HB 2345 includes the following key provisions:

- Directs the Department of Corrections (DOC) to establish on their publicly facing website a dashboard with specific data regarding adults in custody (AICs) that are placed in a disciplinary segregation unit.
- Directs DOC to have the dashboard in place by February 1, 2024.

HB 2535 - Establishes Doula Program | Pregnant and Postpartum Adults in Custody at Coffee Creek Correctional Facility.

Effective Date: September 24, 2023	2023 Oregon Laws Site: 311
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HB 2535 includes the following key provisions:

- Directs the Department of Corrections (DOC) to establish a doula program at Coffee Creek Correctional Facility for adults in custody (AIC) who are pregnant or who have given birth in the past year.
- Specifies provision of doula services for:
 - Physical support;
 - Emotional support;
 - Informational support, including culturally specific and trauma-informed birth plans; and
 - Support and assistance during labor, childbirth, and the postpartum period.
- Permits DOC to partner with community-based professionals
 - Directs that one employee be a point of contact for such partners.
- Requires DOC transport officers to have a policy checklist and copy of the birth plan and document any variance from the birth plan.
- Restricts use of mechanical restraints during labor, childbirth, or postpartum recovery in the hospital unless reasonably necessary for public safety and security of the AIC, correctional staff, other persons, or the public.
- Provides that mechanical restraints must not present a medical risk to the AIC, be in the least restrictive manner possible, and not interfere with holding or nursing the infant or receiving postpartum care from hospital staff.
- Requires AIC transport after giving birth be medically appropriate and the least restrictive means to ensure safe transport.
- Directs DOC to develop procedures regarding the use of mechanical restraints and documentation of policy checklist variances.
- Requires DOC to report to the Legislative Assembly by March 15, 2024, on implementation actions taken and procedures developed.
 - Reporting requirement sunsets on January 2, 2025.
- Specifies operative date of June 1, 2024, for provisions establishing doula program, restricting medical restraints, and means of transport.

HB 3275 – Correctional Services for Certain Misdemeanor Offenders Revert from Counties to DOC – Under Certain Conditions

Effective Date: January 1, 2024	2023 Oregon Laws Site: 341
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HB 3275 includes the following key provisions:

- Provides that if the community corrections appropriation is less than the baseline calculated amount, the following actions can be taken:
 - A county may stop providing correctional services that have been transferred to the county.
 - The portion of funding made available to the county through financial grants for community corrections (Grant-in-Aid Program) reverts to the Department of Corrections (DOC).
- States that responsibility for and supervision of and provision of correctional services for misdemeanor offenders remain with the county, except for offenders convicted of:
 - Designated drug-related misdemeanors
 - Designated person misdemeanors.
- Refers to current statutory definitions for "designated drug-related misdemeanors" and "designated person misdemeanors."

SB 211 - DOC Correction Officer Training - Sunset Repeal

Effective Date: January 1, 2024	2023 Oregon Laws Site: 130
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SB 211 includes the key provisions:

- Repeals the sunset on the DOC corrections officer training pilot program and allows DOC to continue to provide basic certification training to DOC corrections officers.

SB 269 - Correctional Education System Coordination – DOC & HECC

Effective Date: July 13, 2023	2023 Oregon Laws Site: 279
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SB 269 includes the following key provisions:

- Requires the Department of Corrections (DOC) and Higher Education Coordinating Commission (HECC) to enter into a memorandum of understanding (MOU) regarding the correctional education system, with specified provisions including:
 - Data sharing

- Available education programs
- Availability of distance learning
- Aid to adults in custody applying for federal financial aid
- Any policy or program necessary for compliance with federal regulations
- Requires the DOC and HECC to annually review and update the MOU.
- Requires the DOC and HECC to jointly convene an advisory committee to assist in the development and review of the MOU.
- Specifies the required members of the advisory committee.
- Declares emergency, effective on passage.

SB 270 – DOC Academic Programs for Adults in Custody

Effective Date: January 1, 2024	2023 Oregon Laws Site: 148
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SB 270 includes the following key provisions:

- Authorizes the Oregon Department of Corrections (DOC) to enter into agreements to offer academic programs to adults in custody (AICs).
- Allows programs to be offered at community colleges located outside the boundaries of the community college district where the facility is located.
- Requires programs to be consistent with administrative rules adopted by DOC and federal regulations related to the Pell Grant.

SB 344 - Justice Reinvestment Grant Program - Sunset Extension

Effective Date: September 24, 2023	2023 Oregon Laws Site: 182
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SB 344 includes the key provisions:

- Extends the sunset on the Justice Reinvestment Grant Program administered by the Criminal Justice Commission to July 1, 2033.

SB 529 - Alternative Incarceration Program Modifications

Effective Date: January 1, 2024	2023 Oregon Laws Site: 108
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SB 529 includes the following key provisions:

- Modifies legislative findings concerning alternative incarceration programs.

- Requires that intensive alternative incarceration addiction program address addiction as a chronic disease.
- Provides alternative incarceration addiction program should include a range of treatment services.
- Modifies participant acceptance procedures and participation requirements for programs.

SB 581 - Earned Reduction in Supervision Eligibility Expansion

Effective Date: January 1, 2024	2023 Oregon Laws Site: 75
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SB 581 includes the key provisions:

- Expands eligibility for reduction in supervision to Individuals on post-prison supervision whose sentences were imposed before January 1, 2022.
- Makes the Department of Correction's required rules related to the process for notification of eligibility for a sentence reduction applicable to:
 - Sentences imposed before January 1, 2022.
 - Sentences imposed on or after January 1, 2022.

SB 586 - Confidentiality in Restorative Justice Programs

Effective Date: May 16, 2023	2023 Oregon Laws Site: 95
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SB 586 includes the following key provisions:

- Makes restorative justice communications made in community-based programs confidential, exempt from public disclosure, and inadmissible as evidence in any administrative or judicial proceeding except in limited circumstances.
- The limited circumstances include:
 - If the communication causes a program staff member to believe that disclosing the communication is necessary to prevent the commission of a crime likely to result in death or substantial bodily injury to a specific person.
 - All parties provide written consent that all or part of a communication may be disclosed.
 - The communication relates to child or elder abuse and is made to a mandatory reporter.
 - Includes an Emergency Clause – Effective upon passage.

SB 902 - Temporary Assignment to Youth Correctional Facility

Effective Date: May 19, 2023	2023 Oregon Laws Site: 117
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SB 902 includes the following key provisions:

- Allows person who is 20 years of age or older at time of resentencing following an appellate or post-conviction relief proceeding for a crime committed when the person was under 18 years of age to remain in custody of the Oregon Youth Authority if the person is or was resentenced after January 1, 2020.

❖ COURTS

HB 2225 – Courts Omnibus – Transcriber Fee Increase – Judicial Assignments – Public Disclosure of Court Records, Additional Provisions

Effective Date: July 18, 2024	2023 Oregon Laws Site: 302
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HB 2225 includes the key provisions:

- Increases the maximum per-page transcriber fee from \$3 to \$4.25.
- Allows the Oregon Judicial Department to periodically increase the maximum per-page transcriber fee based on the Consumer Price Index.
- Clarifies that the Chief Justice or a designee of the Chief Justice (instead of "the Supreme Court") may assign senior judges, and senior judges may be assigned to serve in any one or more counties or judicial districts during the term of assignment.
- Retains requirement that the Chief Justice shall promptly notify the senior judge and the court to which the senior judge is assigned;
 - Removes requirement that this notice be completed by certified copy.
- Allows a search warrant to be issued by a senior judge if certain requirements are met.
- Specifies that service of a parenting time motion shall be done in the manner provided by law for service of a summons.
- Modifies electronic records policy so that court records are not subject to public disclosure until reviewed and accepted by the court.
- Modifies provisions related to contempt of court and clarifies the relevant party.
- Corrects an Oregon Rules of Civil Procedure (ORCP) citation.
- Sections regarding transcription fees and summons are effective upon the 91st day after sine die.
- Sections related to contempt are operative October 1, 2023.

SB 339 – Court Order – Requiring Sex Offender Treatment Program and Submission to Polygraph Examinations

Effective Date: January 1, 2024	2023 Oregon Laws Site: 282
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SB 339 includes the key provisions:

- Authorizes a court to order a person convicted of harassment for touching a sexual or other intimate part of another, to successfully complete a sex offender treatment program if recommended by the supervising probation officer and to submit to polygraph examinations at the direction of the supervising officer.
- Provides that a court may order a defendant to successfully complete a sex offender treatment program if recommended by the supervising probation officer when a person is convicted of any sex crime as defined in ORS 163A.005

❖ CRIMES AND VIOLATIONS

HB 2594 - Throwing Lighted Material onto Certain Property | Penalty Modification

Effective Date: January 1, 2024	2023 Oregon Laws Site: 315
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SB 2594 includes the following key provision:

- Amends ORS 476.715, which prohibits individuals from throwing away any lighted material on any forestland, private road, public highway or railroad right of way within Oregon.
- Provides that violation of ORS 476.715 is a Class B misdemeanor only if a person commits the offense on applicable land during a fire season or if the offense results in the ignition of a fire. In all other cases, the measure provides that violation of ORS 476.715 is a Class A violation.

SB 340 – Crime of Organized Retail Theft

Effective Date: January 1, 2024	2023 Oregon Laws Site: 151
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SB 340 includes the key provisions:

- Adds the crime of organized retail theft to the repeat property offender statute, ORS 137.717, authorizing a judge to impose a 24-month prison sentence.
- Extends the time period a prosecutor is permitted to aggregate the value of stolen property for purposes of proving the crime of organized retail theft from 90 days to 180 days.
- Permits the prosecutor, for purposes of the stolen property statute, to aggregate the value of multiple thefts against the same or multiple victims within a one-year period.
- Amends venue statutes to allow the defendant accused of committing multiple property crimes in different jurisdictions to be tried for a property crime in any county in which one crime was committed.
- Provides that the trial may be held in any county in which one offense was committed when two or more specified offenses were allegedly committed against the same victim within a 180-day period.
- Amends the crime of theft in the first degree to include a situation where, during the course of the theft, the individual recklessly engages in conduct that creates a substantial risk of serious physical injury.

SB 615 - Speed Racing Penalty Enhancement

Effective Date: September 24, 2023	2023 Oregon Laws Site: 158
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SB 615 includes the following key provisions:

- Modifies the definition of offense of organizing a speed racing event to include a person who places an obstruction or barricade on a highway or assists another person in doing so to facilitate, or to aid another person participating in, speed racing or reckless driving.
- Deletes definition of speed racing event.
- Reduces the penalty for offense of organizing a speed racing event from a Class C felony to a Class A misdemeanor unless the defendant has been convicted of the same crime within the last five years.
- Modifies definition of offense of reckless driving to include behavior associated with speed racing.
- Adds reckless driving to offenses for which property used or intended to be used to commit or facilitate prohibited conduct may be subject to criminal forfeiture.

SB 900 - Organized Retail Theft Grant Program | Law Enforcement Funding

Effective Date: January 1, 2024	2023 Oregon Laws Site: Pending
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SB 900 includes the following key provisions:

- Establishes Organized Retail Theft Grant Program to assist cities, counties, Department of State Police, and community-based organizations in addressing organized retail theft. Directs Oregon Criminal Justice Commission (CJC) to administer the program.
- Appropriates \$5,000,000 to the CJC for purposes of the program.

❖ CIVIL DISTURBANCE - TERRORISM

HB 2572 - Paramilitary Activity

Effective Date: January 1, 2024	2023 Oregon Laws Site: 312
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HB 2572 includes the following key provisions:

- Creates a civil cause of action for persons injured as a result of specified paramilitary activity.
- Describes elements of the activity subject to the measure, including that a person must:
 - Be armed with a weapon
 - Engage in certain conduct as part of a private paramilitary organization
 - Be training to engage in the unlawful conduct
- Allows the Attorney General to:
 - Investigate the activity
 - Seek injunctive relief upon reasonable belief that a person or group has engaged in, or is about to engage in, the unlawful activity.
- Defines relevant terms including:
 - “Dangerous weapon” has the meaning given that term in ORS 161.015.
 - “Deadly weapon” has the meaning given that term in ORS 161.015.
 - “Private paramilitary organization” means any group of three or more persons associating under a command structure for the purpose of functioning in public or training to
 - function in public as a combat, combat support, law enforcement or security services unit.
 - “State” means the District of Columbia or a state, commonwealth, territory or possession of the United States.

- Specifies exemptions for lawful activities including:
 - Armed Forces of the United States, National Guard, and regularly organized state militia or reserve militia called into service by a state or the United States, including authorized defense forces.
 - Group of individuals associated as a military organization for historical or fictional purposes or as part of a bona fide veterans’ organization (without carrying or using ammunition/explosives) in public parades.
 - Students in education institutions authorized to teach military science as part of the course, supervised by a military instructor.
 - Members of organizations authorized under state or federal law for paramilitary, law enforcement, or security services training or activities, while performing authorized functions and under government authority.
 - Lawful activities of the State Department of Fish and Wildlife.
 - Activities intended for self-defense or self-defense techniques (e.g., karate clubs, self-defense clinics) and similar lawful activities.
 - Facilities, programs, or activities related to firearms instruction and training for safe handling and use, as well as other lawful individual recreational use or possession of firearms (e.g., hunting, target shooting), including organized activities like hunting clubs or shooting ranges, without involving criminal conspiracies or intent for physical violence or damage to persons or property.

HB 2772 - Crime of Domestic Terrorism – Protecting Critical Infrastructure

Effective Date: January 1, 2024	2023 Oregon Laws Site: Pending
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SB 2772 includes the key provisions:

- Creates the crime of domestic terrorism in the first degree as a Class B felony for intentional destruction or substantial damage to critical infrastructure, or intentional introduction, release, or dispersal of a toxic substance into widespread contact with humans.
- Creates domestic terrorism in the second degree as a Class C felony for intentional possession of a toxic substance with the intent to expose humans, possession of a destructive device with the intent to damage critical infrastructure, attempts to damage critical infrastructure, or attempts to introduce, release, or disperse a toxic substance to humans.
- Defines “Critical infrastructure” as a gas, electric or water utility system, an electric substation, a pipeline or other conveyance for carrying gas, natural gas or fuel, a fiber optic cable network, a base transceiver station or other wireless communication infrastructure, a data center, or a dam, bridge, road, airport, marina or rail line.
- Defines “Widespread” as impacting at least 50 human beings.

❖ DRUG POLICY

[HB 2395](#) - Ballot Measure 110 Omnibus

Effective Date: Upon Passage	2023 Oregon Laws Site: Pending
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HB 2395 includes the key provisions:

- Changes term "naloxone" to "short-acting opioid antagonist"
- Allows law enforcement officers, firefighters, and emergency medical services providers to distribute and administer short-acting opioid antagonists.
- Establishes criminal and civil immunity for failure or refusal to distribute or administer short-acting opioid antagonist.
- Allows Public Health Officer or physician employed by Oregon Health Authority (OHA) to issue standing order to prescribe a short-acting opioid antagonist.
- Allows owner of public building or facility to store short-acting opioid antagonist kit in location easily accessible to members of the public.
- Requires OHA to publish on the website list and locations of buildings and facilities for which OHA prioritizes provision of kits.
- Authorizes school administrator, teacher, and other school employees designated by school administrator to administer short-acting opioid antagonist to student experiencing opioid overdose without written permission of parent.
- Requires school district board to provide parent or legal guardian of each minor student specified information regarding short-acting opioid antagonists.
- Requires school district board to ensure that parent or legal guardian of minor student is immediately notified when a short-acting opioid antagonist is administered to the student.
- Exempts specified items, including pipes, drug test strips, and equipment from drug paraphernalia prohibitions.
- Clarifies that provision of drug testing tools to minor is limited to distribution by a healthcare provider as part of minor's substance use disorder treatment.
- Requires OHA to provide guidance for communication among local mental health authorities to improve notifications and information sharing when an individual 24 years of age or younger dies as a result of an opioid overdose.
- Establishes protocols and timelines for reporting of opioid overdose deaths.
- Resolves conflicts with House Bill 2421 (2023)
- Declares an emergency, effective on passage.

HB 2513 - Ballot Measure 110 Reform – Response to Secretary of State Audit

Effective Date: January 1, 2024	2023 Oregon Laws Site: Chapter 248
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HB 2513 includes the key provisions:

- Requires local planning committee for alcohol and drug prevention and treatment services to coordinate with local Behavioral Health Resource Networks (BHRNs)
- Defines "recovery"
- Removes cap on Drug Treatment and Recovery Services Fund distributions for administrative costs.
- Requires Oregon Health Authority (OHA) Director to appoint executive director of Oversight and Accountability Council (OAC)
- Clarifies OAC membership terms.
- Clarifies OAC and OHA roles in issuing and terminating BHRN grants.
- Allows BHRNs to rely on statewide hotline for telephone screenings during nonbusiness hours.
- Clarifies minimum BHRN staffing requirements.
- Transfers responsibility for adopting rules for BHRN grants and funding from OAC to OHA, including a process to appeal denial of a grant.
- Requires OHA to convene advisory committee composed of a majority of OAC membership when adopting or amending rules.
- Clarifies scope of Secretary of State audits and moves due date of performance audit from December 31, 2024, to January 2, 2026.
- Requires community mental health program to provide guidance and assistance to BHRN for joint development of programs and activities to increase access to treatment.
- Authorizes OHA to implement education campaign if approved by OAC.

HB 2645 - Fentanyl Misdemeanor and Law Update

Effective Date: September 24, 2023	2023 Oregon Laws Site: Chapter 150
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HB 2645 includes the following key provisions:

- Creates an A misdemeanor crime for possession of a Schedule II controlled substance for possession of more than one gram, or five or more user units of a mixture or substance containing a detectable amount of fentanyl or derivative of fentanyl.
- Adds unit measurements of a mixture or substance containing a detectable amount of fentanyl for calculating the crime category level when delivering or manufacturing fentanyl. Defines the unit measurement as 25 or more user units of a mixture or substance

containing a detectable amount of fentanyl, or any substituted derivative of fentanyl as defined by the rules of the [Oregon] State Board of Pharmacy

- Declares an emergency - Takes effect upon passage (When the Governor signs the measure)

Background: A person illegally in possession of Fentanyl may be cited with a Class E violation under ORS 475.752, unless they possess more than 50 grams, of Fentanyl, in which case they may be charged with a Class C felony under ORS 475.900. Oregon statute does not provide for a Class A misdemeanor charge for possession of Fentanyl as it does for possession of similarly categorized controlled substances such as heroin, methamphetamine, and cocaine. Additionally, statutes criminalizing possession of Fentanyl require proof of specific quantities defined by weight and cannot be established by possession of “pills, tablets, capsules or user units” as allowed for in statutes relating to Oxycodone under ORS 475.834.

SB 303 – Psilocybin Service Center Data Reporting

Effective Date: September 24, 2023	2023 Oregon Laws Site: Chapter 150
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SB 303 includes the key provisions:

- Requires the psilocybin service center to collect and maintain specified data.
- Requires the psilocybin service center to submit aggregated data to Oregon Health Authority (OHA) on a quarterly basis.
- Allows clients of the psilocybin service center to request that their data not be submitted to OHA.
- Requires OHA to submit information to Oregon Health and Science University (OHSU) for the evaluation of psilocybin service center outcomes.
- Requires OHA to aggregate and make public specified psilocybin service center license information annually.
- Becomes operative on January 1, 2025

HB 3258 - Mandatory Reporting of Controlled Substances Dispensed by Pharmacies to Electronic Prescription Monitoring Systems

Effective Date: September 24, 2023	2023 Oregon Laws Site: Pending
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HB 3258 includes the following key provisions:

- Expands Oregon's Prescription Drug Monitoring Program (PDMP) to include drugs classified as schedule V under the federal Controlled Substances Act.

- Directs the Oregon Health Authority (OHA) to contract with an information technology services vendor for secure communications between participating prescribers and pharmacies in Oregon's PDMP.
- Requires pharmacists to report the species, name, and sex of the animal when filling a controlled substance prescription on behalf of an animal to OHA.
- Allows pharmacists to review prescription monitoring information about the animal and the individual filling the prescription on behalf of the animal.
- Permits pharmacists to share prescription monitoring information with the prescriber or a member of the prescriber's staff.
- Authorizes OHA to disclose prescription monitoring information, to the extent necessary, to fulfill program purposes, including sharing with the director and staff of the state medical assistance program, prescription drug program, and Centers for Medicare and Medicaid Services.
- Specifies that OHA cannot disclose prescription drug monitoring information to veterinarians.
- Specifies that naloxone, pseudoephedrine, and ephedrine are exempt from prescription monitoring.
- Monitoring requirements related to animals becoming operative on January 1, 2025.

❖ EMERGENCY MANAGEMENT

HB 2266 - State Interoperability Executive Council Membership Additions

Effective Date: January 1, 2024	2023 Oregon Laws Site: 39
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SB 2266 includes the following key provisions:

- Adds the following members to the State Interoperability Executive Council::
 - (a) One member from the Department of State Fire Marshal appointed by Governor
 - (b) One member from the Oregon Emergency Management Community appointed by the Governor, Senate President, and Speaker of the House.

❖ FIREARMS

[HB 2005](#) - Ghost Guns

Effective Date: July 13, 2023	2023 Oregon Laws Site: 229
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SB 2005 includes the key provisions:

Definitions:

- Defines frame as the part of a handgun or variant of a handgun that provides housing or a structure for the primary energized component designed to hold back the hammer, striker, bolt, or similar element.
- Defines receiver as the part of a rifle, shotgun, or projectile weapon other than a handgun that provides housing or a structure for the primary component designed to block or seal the breech.
- Defines undetectable firearm as a firearm constructed or produced entirely of nonmetal substances or includes a major component that would not generate an accurate image when inspected by X-ray machines.
- Defines unfinished frame or receiver as a forging, casting, printing, extrusion, machined body, or similar item that is designed to be completed, assembled, or converted to function as a frame or receiver.

Undetectable Firearms:

- Prohibits the manufacturing, importation, sale, or transfer of undetectable firearms, classifying the violation as a Class B felony.
- Prohibits the possession of undetectable firearms, classifying the violation as a Class A misdemeanor, or a Class B felony with prior convictions, and requires forfeiture of the firearm.

Unserialized Firearms/Frames or Receivers:

- Prohibits the possession, sale, or transfer of firearms without serial numbers imprinted by a licensed firearm manufacturer, importer, dealer, or gunsmith, classifying the violation as a Class B violation, Class A misdemeanor with prior conviction, or Class B felony with multiple prior convictions.
- Exempts antique firearms, firearms manufactured before October 22, 1968, permanently inoperable firearms, licensed firearm manufacturers, and gunsmiths from the unlawful possession of unserialized firearms.
- Prohibits the importation, sale, or transfer of unfinished frames or receivers without proper licensing, manufacturer's name, individual serial number, and record-keeping,

classifying the violation as a Class B violation, Class A misdemeanor with prior conviction, or Class B felony with multiple prior convictions.

- Prohibits the possession of unserialized unfinished frames or receivers unless the person is a federally licensed gun manufacturer within a serialization manufacturing process, classifying the violation as a Class B violation, Class A misdemeanor with prior conviction, or Class B felony with multiple prior convictions.
- Delays the penalty for possession of an unfinished frame or receiver until September 1, 2024.
- Establishes the crime of unlawful possession of a firearm for possessing an unfinished frame or receiver while being prohibited by law from possessing a firearm.
- Requires a permit to purchase an unfinished frame or receiver.
- Requires gun dealers to provide the Department of Oregon State Police (OSP) with a description of the unfinished frame or receiver being transferred and obtain a unique approval number from OSP before transferring it.
- Allows law enforcement agencies to inspect gun dealer records related to the transfer of unfinished frames or receivers.
- Classifies the knowing sale of an unfinished frame or receiver to a person without a valid permit-to-purchase or prior to receiving a unique approval number from OSP as a Class A misdemeanor.

❖ FORENSICS - EVIDENCE

HB 2129 – Illegal Recording Exemption – Parties Not Involved in Initially Obtaining Communication

Effective Date: January 1, 2024	2023 Oregon Laws Site: 234
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SB 2129 includes the following key provisions:

- Creates an exception to the prohibition on obtaining or using unlawfully recorded communication, when the communication is a matter of public concern and the person did not participate in initially obtaining it.

SB 317 – Hearsay – Applies Corroborative Evidence Requirement to Juvenile Delinquency Proceedings

Effective Date: May 19, 2023	2023 Oregon Laws Site: 105
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SB 317 includes the following key provision:

- Provides that the requirement that certain hearsay statements of unavailable witnesses concerning acts of abuse be supported by corroborative evidence applies in juvenile delinquency proceedings.

❖ HOMELESSNESS

HB 3462 - State Agency Temporary Housing | Compliance with Discrimination Laws

Effective Date: July 27, 2023	2023 Oregon Laws Site: Pending
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HB 3462 includes the key provisions:

- Requires Oregon Department of Emergency Management (OEM), Oregon Housing and Community Services (OHCS), or Department of Human Services (DHS) to ensure that temporary housing provided in response to emergencies is safe and in compliance with state and federal nondiscrimination laws.
- Allows these agencies to provide community members otherwise ineligible for distribution of federal resources, including because of immigration status, similar or equivalent resources, subject to availability of agency funds.
- Defines, for purposes of Act, temporary housing as a dwelling within meanings of ORS 659A.421, relating to unlawful discrimination in real property transactions, and Federal Fair Housing Act
 - A dwelling is defined as:
 - A building or structure, or portion of a building or structure, that is occupied, or designed or intended for occupancy, as a residence by one or more families; or
 - Vacant land offered for sale or lease for the construction or location of a building or structure, or portion of a building or structure, that is occupied, or designed or intended for occupancy, as a residence by one or more families.

- The federal Fair Housing Act, originally enacted in 1968, currently prohibits direct providers of housing from engaging in discrimination on the basis of race, religion, sex, national origin, familial status, or disability.
 - These housing providers may include landlords, real estate companies, municipalities, banks and other lending institutions, and homeowners' insurance companies.

SB 893 - 2021 Task Force on Homelessness and Racial Disparities | Implementation

Effective Date: May 19, 2023	2023 Oregon Laws Site: 116
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SB 893 includes the following key provisions:

- Requires Oregon Housing and Community Services Department (OHCS) to modify the state’s funding structure based on recommendations from the Task Force on Homelessness and Racial Disparities.
- Allows creation of committees to consider rules and design policy frameworks for programs by:
 - Federally recognized tribes within Oregon;
 - Community action agencies;
 - Continuums of care; and
 - Culturally specific or culturally responsive organizations.
- Requires OHCS to provide a report to the committee of Legislative Assembly related to housing on or before March 15, 2024, with recommendations on implementing proposed changes for the biennium beginning July 1, 2025, including recommendations for modifying other OHCS homeless service programs as a result of the changes.
- Allows OHCS to adopt rules for implementing programs and systems intended to prevent and end homelessness, including:
 - Development and operation of emergency shelters and transitional housing facilities;
 - Homeless system and eviction prevention services;
 - Delivery of federal antipoverty programs;
 - Investment in data gathering;
 - Individualized and culturally responsive interventions.

❖ HONOR AND RECOGNITION

HCR 21 - Officer Gary Lavaughn Sumpter

Filed with the Secretary of State	2023 Oregon Laws Site: Pending
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HCR 21 includes the following key provisions:

- This measure recognizes and honors Officer Gary Lavaughn Sumpter (1938-1969) for his service to this state.
- Officer Gary Lavaughn Sumpter was a native of Stockton, California who grew up and attended schools in Roseburg, Oregon.
- He served his nation in the United States Navy.
- Officer Sumpter began his law enforcement career as a reserve officer in Sweet Home, Oregon and later became a reserve officer with the police department in Toledo, Oregon.
- Officer Sumpter also worked as a lab technician at New Lincoln Hospital in Toledo.
- When not in uniform, he was an avid hunter, fisherman, and outdoor enthusiast.
- On March 15, 1969, while pursuing a suspect in his vehicle, Officer Sumpter was shot and killed in the line of duty.
- Officer Sumpter was survived by his wife, Marcia, and their children, Julie and Michael and have since added four grandchildren to his legacy.
- Officer Sumpter’s selfless and heroic commitment to his community exemplified the highest standards of excellence of the Toledo Police Department.
- He was a dedicated law enforcement officer who served the people of the State of Oregon with honor and distinction.

SCR 4 - Deputy Douglas Eugene Smith

Filed with the Secretary of State	2023 Oregon Laws Site: Pending
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SCR 4 includes the following key provisions:

- This measure recognizes and honors Deputy Douglas Eugene Smith (1955-1978) for his service to this state.
- Deputy Douglas Eugene Smith was raised in Sherman County, Oregon.
- He was a graduate of Sherman County High School and the University of Oregon.
- He chose a career in law enforcement with the Sherman County Sheriff’s Office.
- On August 27, 1978, Deputy Smith responded to reports of a vehicle being driven erratically and at a high rate of speed.

- Deputy Smith was driving on U.S. Route 97 when, as his vehicle crested a hill, it was struck head-on by another vehicle.
- Deputy Smith and both occupants of the other vehicle died at the scene.
- The fatal accident occurred several miles from Deputy Smith’s home in Moro, Oregon.
- He was 23 years old and had just begun his law enforcement career when his life was tragically taken.
- Deputy Smith’s loss was deeply felt by his family, his fellow officers, and his many friends.

❖ JUVENILE - YOUTH

HB 2320 - Establishes Juvenile Justice Policy Commission | Oregon Criminal Justice Commission.

Effective Date: September 24, 2023	2023 Oregon Laws Site: Pending
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HB 2320 includes the following key provisions:

- Establishes the Juvenile Justice Policy Commission and specifies membership.
- Tasks the Juvenile Justice Policy Commission with analyzing the juvenile justice system at the state and local levels and across branches of government in this state to provide recommendations for improvements in law, policy, practice, and appropriation to improve:
 - Public safety
 - Youth outcomes
 - System disparities
- Requires the commission to oversee data-driven and qualitative analysis to examine:
 - Key drivers of system involvement and opportunities for improved diversion and restorative justice
 - Drivers of detention and residential placement and any available or needed alternatives to detention and residential placement.
 - Policies and practices of assessment, court process, community supervision, and reentry.
 - Service delivery for youth under system supervision, including the provision of behavioral health, education, workforce development, and other needed services, with evaluation of resource usage efficiency and collaboration across service systems.
 - Racial, ethnic, and other disparities among youth impacted by the juvenile justice system.
 - Efficiency and effectiveness of state and county quality assurance, data collection, reporting, and oversight systems.

- Opportunities for better alignment with constitutional mandates, local and national best practices, and research.
- Public safety within the context of personal responsibility, accountability, and reformation.
- Victim rights
- Authorizes the Juvenile Justice Policy Commission to utilize the analysis to:
 - Recommend legislation, appropriations, and administrative policies and practices for statewide adoption.
 - Assess the impact of current legislation involving juvenile justice and related initiatives.
 - Develop data-driven best practices, guidance, training, and materials for state agencies, juvenile courts, county juvenile departments, and practitioners.
 - Oversee state and private funding for pilot projects, system innovations, and other initiatives through competitive selection processes.
- Appropriates money to the Criminal Justice Commission for research, policy consultation and support of commission and provides that funding may be expended by the Council for State Governments.

SB 218 - Investigation of Suspected Sexual Conduct or Child Abuse | Mandating Information Sharing by the Department of Education and Law Enforcement for the Teacher Standards and Practices Commission

Effective Date: January 1, 2024	2023 Oregon Laws Site: 131
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SB 218 includes the following key provisions:

- Requires the Oregon Department of Education (ODE) to make documents and materials from sexual conduct investigations available to Teacher Standards and Practices Commission (TSPC) for TSPC investigations into complaints against commission licensees that do not concern allegations of sexual conduct.
- Requires law enforcement agencies to make records of closed cases of child abuse or neglect available upon request to TSPC.
- Requires law enforcement agencies to make records of open cases of alleged child abuse available upon request to TSPC when disclosure will not interfere with ongoing investigation.
- Exempts TSPC from duty to investigate certain complaints within 12 months if TSPC does not receive required verification that a school district complaint process was attempted.
- Requires TSPC executive director or designee to forward report to commission on any completed investigation that found certain violations and to determine whether to forward report on other completed investigations.
- Specifies that the report must include recommendations for disciplinary sanctions.

SB 577 - When Use of Force Upon a Minor Child or Student is Justifiable and Not Criminal.

Effective Date: April 26, 2023	2023 Oregon Laws Site: 27
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SB 577 includes the key provisions:

- Deletes language related to use of physical force against incompetent adults
- Modifies provisions related to use of physical force against minors and students
- adds authorized officials of a youth correctional facility to a list of individuals who may use physical force to maintain order and discipline in certain circumstances
- Seeks to clarify that corporal punishment does not include use of physical force in certain circumstances.

SB 745 - County juvenile Department Requirement | Sex Trafficking Screening for Youth

Effective Date: September 24, 2023	2023 Oregon Laws Site: 187
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SB 745 includes the key provisions:

- Directs county juvenile departments to ensure a sex trafficking screening is conducted when a youth or adjudicated youth is taken into custody or, if youth is not taken into custody, at point of intake.
- Requires county juvenile departments to refer youth to appropriate services and Directs the Department of Human Services (DHS) and Oregon Youth Authority (OYA), in consultation with the Oregon Department of Justice's (DOJ) Trafficking Intervention Advisory Committee, to maintain and make available a regularly updated list of referral resources for use by county juvenile departments.
- Directs the Department of Justice, in consultation with DOJ's Trafficking Intervention Advisory Committee, to develop two separate trainings, one on the use of a standardized sex trafficking screening tool and one on sex trafficking more broadly.
- Requires that the DOJ provide training on screening tools to county juvenile departments and requires that county juvenile departments ensure all staff who work directly with youth complete the training.
- Requires DOJ to provide general training to county juvenile departments and state agencies that work with youth at no cost, and requires that state agencies and county juvenile departments ensure that all staff who work with youth receive the training.
- Provides dates for when each obligation must be met. Requires DOJ's Trafficking Intervention Advisory Committee to report certain data to the Legislative Assembly as specified no later than December 31, 2025.

- Adds adjudicated youth to all references to youth in the measure.
- Repeals provisions related to dates for certain directives on January 2, 2026.
- Provides operative dates for provisions in measure.
- Allows DOJ, DOJ's Trafficking Intervention Advisory Committee, DHS, OYA, and county juvenile departments to take action prior to operative dates.

❖ LABOR RELATIONS – HUMAN RESOURCES

HB 2573 - Streamlining Collective Bargaining: Electronic Authorizations for Bargaining Representatives

Effective Date: June 30, 2023	2023 Oregon Laws Site: 222
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SB 2573 includes the following key provisions:

- Requires Employment Relations Board to develop guidelines and procedures to permit use of electronic record and electronic signature for authorizations designating bargaining representatives.
- Specifies information that must be included on petition for representation submitted with electronic signature.
- Provides a process if available technology does not support digital signature verification requirements.

HB 2864 - Expansion of Representation Fees for Department of Corrections Employees, Oregon Corrections Enterprises Staff, and Adult Offender Supervision Officers Who Are Not Labor Organization Members

Effective Date: January 1, 2024	2023 Oregon Laws Site: 47
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HB 2864 includes the following key provisions:

- Adds Department of Corrections and Oregon Corrections Enterprises employees, and parole and probation officers who supervise adult offenders to a list of employees who are not members of labor organization but may be charged reasonable fees and costs for representation on issues unrelated to negotiation of collective bargaining agreement.

HB 3471 – No-Rehire Provisions in Settlement Agreements

Effective Date: July 27, 2023	2023 Oregon Laws Site: Pending
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HB 3471 includes the following key provisions:

- Creates an unlawful employment practice that prohibits employers from conditioning offers to negotiate a settlement agreement based on including a no-rehire provision unless:
 - Prior to the offer, the worker confirms in writing their willingness to agree to it, and the offer states the condition; and
 - The settlement offer affirmatively states that entering into the settlement agreement is conditional upon the worker also entering into an agreement that includes a no-rehire provision.
- Clarifies that it is not a violation of the measure:
 - For parties in negotiations to make or reject settlement offers with a no-rehire provision.
 - For an employer to offer a settlement agreement to an employee with a no-rehire provision without the worker’s written confirmation, as long as the offer states it is not conditional on the provision.
- Permits a worker to file a complaint with the Bureau of Labor and Industries under ORS 659A.820 for a violation of the measure, bring a civil action under ORS 659A.885 and recover a civil penalty of up to \$5,000 and relief as provided by ORS 659A.885 (1) to (3).
- Includes the following definitions:
 - "No-rehire provision" refers to a provision in an agreement prohibiting a worker from seeking further employment with an employer.
 - "Settlement agreement" refers to an agreement resolving a worker's claim for workers' compensation.
 - "Worker" refers to a worker who has applied for benefits or utilized procedures under ORS chapter 656.
- Applies to settlement agreements made on or after the effective date of the Act.

SB 168 - Political Activities of Public Employees Clarification

Effective Date: January 1, 2024	2023 Oregon Laws Site: 268
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SB 168 includes the following key provisions:

- Explicitly prohibits public employees from promoting or opposing appointment, nomination, or election of a person to public office while on job during working hours or while otherwise working in official capacity.
- Explicitly prohibits public employees from promoting or opposing the filing of an initiative, referendum, or recall petition while on job during working hours or while otherwise working in official capacity.

- Allows public employees to communicate with separate public employees or elected officials about the appointment of a person to public office when communication is part of recipient's official duties related to an appointment required by Oregon Constitution or state statute.
- Excludes periods of time during which a public employee takes time off for meal or rest breaks, or other allowable time, in accordance with Oregon labor laws, from the meaning of when an employee is on job during work hours.

SB 808 - Commission on Statewide Law Enforcement Standards of Conduct and Discipline - Modifications

Effective Date: January 1, 2024	2023 Oregon Laws Site: 191
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SB 808 includes the following key provisions:

- Modifies the Commission on Statewide Law Enforcement Standards of Conduct and Discipline (commission) membership:
 - Removes appointing authority of the Department of Public Safety Standards and Training (DPSST)
 - Leaves the eleven members previously jointly appointed by DPSST and the Attorney General (AG) to be appointed solely by the AG
- Specifies that public notice for adopting rules is subject to the Administrative Procedures Act.
- Modifies the calculation for the number of members who are needed to approve commission action from the majority of members to the majority of voting members.
- Designates the AG as the chair of the commission, in lieu of the commission members electing one person from DPSST and one person from the Department of Justice to serve as co-chairs.
- Clarifies that reports to the Legislative Assembly are due annually.
- Modifies the definitions of "law enforcement agency" and "law enforcement officer" for purposes of the measure.
 - “Law enforcement agency” means an entity that employs law enforcement officers.
 - “Law enforcement officer” means corrections officers, parole and probation officers, police officers, certified reserve officers and reserve officers.

SB 851 - Workplace Psychological Safety Voluntary Policy

Effective Date: January 1, 2024	2023 Oregon Laws Site: 165
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SB 851 includes the following key provisions:

- Requires Bureau of Labor and Industries (BOLI) to prepare model respectful workplace policy that employers may adopt.
- Directs BOLI to create informational materials that identify harms to employees and employers caused by workplace bullying and make materials available to employers.

SB 907 - Right to Refuse Dangerous Work

Effective Date: January 1, 2024	2023 Oregon Laws Site: 196
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SB 907 includes the following key provisions:

- Makes it an unlawful practice for any person to bar or discharge from employment or discriminate against an employee or prospective employee because they refuse to expose themselves to serious injury or death from a hazardous condition at the place of employment when there are no reasonable alternatives and the person is acting in good faith.
- The measure is intended to codify the existing federal rule by directing Oregon OSHA to adopt rules in accordance/alignment with the federal Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

❖ LINE OF DEATH - INJURY:

SB 699 - Public Safety Memorial Fund | OLCC Regulatory Specialists

Effective Date: January 1, 2024	2023 Oregon Laws Site: 212
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SB 699 includes the following key provisions:

- Includes Regulatory Specialists from the Oregon Liquor Cannabis Commission (OLCC) as eligible recipients of the Public Safety Memorial Fund.
- Defines "Regulatory specialist" as a full-time OLCC employee authorized to enforce specific chapters of law, commission rules, and related statutes regarding liquor, marijuana, or marijuana-derived products through inspections, investigations, arrests, seizures, prosecutions, citations, and other stages of enforcement.

❖ MARINE BOARD - MARINE PATROL

[HB 2914](#) - Task Force on Abandoned and Derelict Vessels

Effective Date: January 1, 2024	2023 Oregon Laws Site: Pending
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HB 2914 includes the following key provisions:

- Defines "Abandoned vessel" and "Derelict vessel."
- Establishes the Oregon Abandoned and Derelict Vessel Program in the Department of State Lands to address abandoned and derelict vessels and manage state-owned submerged and submersible lands.
- Requires the Department of State Lands, in coordination with other stakeholders, to develop the policy framework for the program.
- Grants the Department of State Lands the authority to adopt necessary rules.
- Establishes the Oregon Abandoned and Derelict Vessel Fund in the State Treasury.
- Specifies that interest earned by the fund will be credited to the fund.
- Appropriates funds from the General Fund to the Department of State Lands for the program.
- Allows the department to accept grants, donations, contributions, or gifts for deposit in the fund.
- Requires the Department of State Lands to submit a progress report and recommendations to the relevant legislative committees by February 15, 2024
- The progress report requirement is repealed on January 2nd, 2025

❖ MARIJUANA - HEMP:

[HB 2931](#) - Establishes Cannabis Reference Laboratory to Support Cannabis Enforcement/Regulation

Effective Date: January 1, 2024	2023 Oregon Laws Site: Pending
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HB 2931 includes the following key provisions:

- Directs the Oregon Department of Agriculture (ODA), in consultation with the Oregon Health Authority (OHA) and the Oregon Liquor and Cannabis Commission (OLCC), to establish a cannabis reference laboratory.

- Permits the OHA, OLCC, and ODA to independently require targeted testing to determine compliance with cannabis laws and exempts such testing from prohibition on more than one test per item.
- Allows law enforcement agencies to request assistance with testing.
- Permits ODA to charge fees for providing laboratory assistance to other state or local agencies.
- Conforms cannabis laws to reference existing testing provisions including:
 - Definition of "premises;"
 - Duties, functions, and powers of the OLCC;
 - Licensure and compliance;
 - Worker permits, if applicable;
 - Employee whistleblowing protections;
 - OLCC telephone hotline for regulators to confirm licensed locations; and
 - Exemption of address and security plans from public disclosure.
- Prohibits a person from holding both a laboratory license and a license to produce, process or sell cannabis.
- Subjects laboratory licenses to the same conditions as licenses to produce, process or sell cannabis.
- Provides operative date of January 1, 2024 and applies to licenses issued or renewed on or after that date.

SB 326 – Unlawful Marijuana Production Omnibus – Criminal Penalties, Law Enforcement Investigation – Water Usage Violations - Site Clean-up

Effective Date: June 12, 2023	2023 Oregon Laws Site: 209
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SB 326 includes the following key provisions:

- Creates a Class B felony for possession of marijuana items that exceed 32 times allowable amounts.
- Creates a Class B felony for manufacture of more than 100 mature or immature plants.
- Creates a Class B felony for specified reckless or knowing unlawful conduct factors related to marijuana, including certain labor and environmental violations and acts related to labor trafficking.
- Specifies that the classification for reckless unlawful conduct is a crime category six on the Criminal Justice Commission's sentencing grid.
- Specifies that the classification of knowing unlawful conduct is a crime category of eight.
- Allows law enforcement to request judicial authorization to use mobile tracking devices, wiretaps, and pen register trap and trace devices for enforcing illegal cannabis operations.
- Prohibits the use of surface water, ground water, or precipitation water for illegal cannabis manufacture or production.

- Allows the Oregon Water Resources Department to impose a civil penalty for violating water usage laws in relation to illegal cannabis operations.
- Requires real property owners to undertake cleanup of waste on sites used for illegal cannabis operations.
- Classifies an owner's failure to clean up waste after 30 days' notice as a public nuisance.
- Permits a city or county to bring a civil proceeding after the 30-day notice to pursue (a) public nuisance abatement, (b) a claim of lien for cleanup costs, and (c) enjoining any further violations.
- Provides reasonable attorney fees and expenses for the prevailing party in such proceeding.
- Defines waste to include any part of a marijuana plant, irrigation materials, hoop houses, and similar agricultural structures, and chemicals that the Department of Environmental Quality is authorized to clean up related to illegal drug manufacturing.
- Defines cleanup to include removal, disposal, and remediation, and requires cleanup to conform with applicable laws.
- Permits an owner of leased property to retain irrigation materials, agricultural structures, or chemicals belonging to the owner if the land was leased to a third party who engaged in unlawful marijuana production or manufacture, and the owner elects to properly care for the items or store the chemicals.
- Declares an emergency, effective on passage.

❖ PROSECUTION - DEFENSE & PRE-TRIAL

SB 337 - Establishes Oregon Public Defense Commission Within Judicial Branch

Effective Date: July 13, 2023	2023 Oregon Laws Site: 281
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SB 337 includes the following key provisions:

- Modifies the makeup of the Oregon Public Defense Commission (commission) to include appointments or recommendations from each branch of government (January 1, 2024).
- Transfers the commission from the judicial branch to the executive branch (January 1, 2025).
- Provides that until July 1, 2027, the executive director and commission members serve at the pleasure of the Governor.
- Beginning July 1, 2027, the executive director serves at the pleasure of the voting members of the commission.
- Commission members may be removed by the Governor only for inefficiency, neglect of duty, or malfeasance in office.
- Disallows economic incentives or disincentives in the pay structure that could interfere with the ability of appointed counsel to provide effective assistance of counsel.

- Prohibits the flat fee model.
- Requires commission to hire trial-level employee attorneys.
- Directs the commission to contract directly with providers (July 1, 2025).
- Makes the commission responsible for selecting, appointing, paying, and supervising the individual attorneys appointed to represent indigent defendants (July 1, 2025).
- Prohibits subcontracting with an exception for nonprofits (July 1, 2027).
- Requires the commission to promulgate and enforce standards.
- Provides oversight and supervision.
- Collects specific data.
- Regularly reports to the Legislative Assembly on progress and needs.
- Declares emergency, effective on passage.

❖ PUBLIC RECORDS - PUBLIC MEETINGS

[HB 2112](#) - Updates Definitions and Terminology in Public Records Law | Records Retention

Effective Date: January 1, 2024	2023 Oregon Laws Site: 35
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HB 2112 includes the following key provisions:

- Makes consistent the purposes and values in statute for retention of public records as "legal, administrative, fiscal, tribal cultural, historical or research."
- Removes references to obsolete technology:
 - Changes "analog or digital audio and video tape" to "audio recording and video recording."

[HB 2805](#) - Public Meetings Law & Use of Electronic Communication by Governing Bodies

Effective Date: September 24, 2023	2023 Oregon Laws Site: 252
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SB 2805 includes the following key provisions:

- Specifies conditions under which the use of serial written communication or intermediaries may constitute a quorum of a governing body for public meetings law.
- Exempts certain communications between members of a governing body from public meetings law including:

- Purely factual or educational communications with no deliberation or decision on relevant matters.
- Communications unrelated to foreseeable matters before the governing body.
- Non-substantial communications.
- Directs the Oregon Government Ethics Commission (OGEC) to provide or arrange annual training on public meetings law and best practices.
- Compels members of some governing bodies to attend the annual training provided by OGEC.
- Grants OGEC the authority to receive reports of alleged violations and conduct investigations into these reports.

HB 2806 - Authorization for Governing Body of Public Body to Hold Executive Sessions on Safety, Security, and Cybersecurity Matters

Effective Date: July 13, 2023	2023 Oregon Laws Site: 252
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HB 2806 includes the key provisions:

- Authorizes the governing body of a public body to meet in executive session to consider the:
 - Safety of the governing body,
 - Staff and volunteers of the public body,
 - Security of public body facilities and meeting spaces,
 - Cybersecurity infrastructure, and
 - Responses to cybersecurity threats.

HB 3111 - Exempts from Public Disclosure | Retirement System

Effective Date: May 8, 2023	2023 Oregon Laws Site: 50
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HB 3111 includes the following key provisions:

- Adds personal information of employees and retirees maintained by another retirement system operated by a public body to the existing public record exemption for personal information maintained by Public Employees Retirement System.
- Clarifies that personal information of employees and volunteers of a public body is exempt from disclosure regardless of record type where information is maintained.

SB 11 – Public Meeting Requirements – State Boards & Commissions

Effective Date: January 1, 2024	2023 Oregon Laws Site: 68
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SB 11 includes the following key provisions:

- Requires state boards or commissions that meet through telephone or other electronic means in accordance with ORS 192.610 to 192.690 to:
 - Record the meeting
 - Promptly publish the meeting on a publicly accessible website or hosting service
- Allow members of the public to:
 - Observe a recording of the meeting if conducted through videoconferencing technology
 - Listen to a recording of the meeting if conducted through teleconferencing technology without video capabilities
- The requirement to publish the meeting does not apply to the portion held in executive session under ORS 192.660 or other law.
- Applies to state boards and commissions within the executive department, and whose members are subject to Senate confirmation.

SB 207 - Oregon Government Ethics Commission - Authority to Investigate Public Meeting Executive Session Violations

Effective Date: January 1, 2024	2023 Oregon Laws Site: 68
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SB 207 includes the following key provisions:

- Authorizes the Oregon Government Ethics Commission (OGEC) to initiate an independent investigation without needing a formal complaint when they have reason to believe that a public body conducted meetings in executive session that violated executive session provisions of public meetings law.

SB 510 - Public Records Advocate Office Funding – Authority to Collect Assessments from Public Bodies

Effective Date: September 24, 2023	2023 Oregon Laws Site: 155
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SB 510 includes the following key provisions:

- Authorizes the newly independent Office of the Public Records Advocate (PRA) to use a similar assessment model used by the Department of Administrative Services (DAS) and the Oregon Ethics Commission to fund the agency’s operating expenses.

- Directs Public Records Advocate (PRA) to estimate biennial costs to carry out duties on or before January 1 preceding start of a biennium, and report to the Oregon Department of Administrative Services and the Legislative Fiscal Officer.
- Directs the Public Records Advocate to assess costs to each public body of state government and requires each body to pay costs assessed.
- Credits all assessments collected to the Public Records Advocate Fund.
- Directs the Public Records Advocate to adopt rules establishing methods for allocating and collecting assessments.

Background: The PRA provides facilitated dispute resolution services between public records requesters and custodians, when requested; provides trainings to state agencies and local governments about requirements and best practices for processing and responding to public records requests; and is a voting member of the Public Records Advisory Council.

❖ OREGON STATE POLICE

[SB 194](#) – Makes OSP “Supervisory Employee” Definition Permanent

Effective Date: January 1, 2024	2023 Oregon Laws Site: 123
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SB 194 includes the following key provisions:

- Makes permanent a provision excluding specified employees of Oregon State Police from the definition of "supervisory employee" for collective bargaining purposes who:
 - Serves in a rank equivalent to or below the rank of sergeant;
 - Is prohibited from striking by ORS 243.736; and
 - Assigns, transfers or directs the work of other employees but does not hire, discharge or impose economic discipline on those employees.

❖ PERS ISSUES

[HB 2296](#) - Reemployment of Retired PERS Members – Sunset Extension

Effective Date: January 1, 2024	2023 Oregon Laws Site: 43
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HB 2296 includes the following key provisions:

- Extends provisions allowing retired members of the Public Employees Retirement System to be reemployed by participating public employers until 2034.
- The extension is extended until 2034.

- Allows retired PERS members to be reemployed for an unlimited number of hours without a reduction in pension benefits.

SB 128 – PERS Salary Determination Factors for Prison Chaplains

Effective Date: January 1, 2024	2023 Oregon Laws Site: 170
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SB 128 includes the following key provisions:

- Requires the housing allowance paid to prison chaplains to be treated as taxable income under Oregon law only for purposes of determining the salary of certain members of the Public Employees Retirement System (PERS).
- Applies to PERS members whose effective date of retirement is on or after the effective date of measure (January 1st, 2024).
- Applies to housing allowances paid before, on, and after effective date of measure (January 1st, 2024).

SB 951 – Qualifies State Parole and Probation Officers as Police Officers Under PERS

Effective Date: January 1, 2024	2023 Oregon Laws Site: 219
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SB 951 includes the following key provisions:

- Qualifies certified parole and probation officers employed by the State Board of Parole and Post-Prison Supervision as police officers under the Public Employees Retirement System.
- Applies to certified parole and probation officers employed on or after the effective date of the measure.
- Provides that the entitlement applies to all services performed by certified parole and probation officers employed by the Board.

❖ SCHOOL SAFETY

HB 2902 - School Emergency Preparedness

Effective Date: July 1, 2024	2023 Oregon Laws Site: Pending
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HB 2902 includes the following key provisions:

- Encourages schools to instruct students on preparing for and recovering from fires, earthquakes, tsunamis, safety threats, and region-specific natural disasters.

- Requires the Oregon Department of Education to develop guidance for instruction in consultation with the Oregon Department of Emergency Management and provide professional development upon request.
- Authorizes the Department of Education to take any action before the operative date.
- Applies to school years beginning with the 2024-2025 school year.
- Becomes operative July 1, 2024.

[HB 3584](#) - Responses to Safety Threats in Schools | Electronic Communication with Parents/Guardians & Community

Effective Date: January 1, 2024	2023 Oregon Laws Site: Pending
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HB 3584 includes the following key provisions:

- Requires school district boards to adopt a policy for notifying parents, guardians, and school employees when a school initiates a lockdown, lockout, shelter in place, or evacuation in response to safety threat.
- Defines “Safety threat action” as a lockdown, lock-out, shelter in place, or evacuation initiated by a school in response to a safety threat, excluding planned drills.
- Requires each school district board to adopt a policy for notifying the school community when a safety threat action is taken.
- Requires the policy to provide that within 24 hours of the safety threat action initiation:
 - Electronic communication must be provided to parents and guardians of students attending the school, including a general description of the issue, duration of the action, actions taken, and how the situation was resolved.
 - The communication must effectively communicate relevant facts and details to understand potential threats to student safety and assist parents/guardians in helping students process the incident.
 - The communication must be provided in culturally appropriate languages.
 - Electronic communication must also be provided to school district employees, including the same information as provided to parents/guardians and any additional permitted information.

❖ SEARCH AND RESCUE

[HB 2484](#) - Urban Search and Rescue

Effective Date: January 1, 2024	2023 Oregon Laws Site: 305
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HB 2484 includes the key provisions:

- Directs Tasks the Department of the State Fire Marshal shall coordinate the urban search and rescue function of this state, including:
 - Coordinating the activities of local, state and federal agencies involved in urban search and rescue;
 - Establishing liaison with public and private organizations and agencies involved in urban search and rescue, including fire service providers and county sheriffs;
 - Assisting in developing training and education programs; and
 - Gathering and disseminating resource information of personnel, equipment and materials available for urban search and rescue.
- Authorizes the department to receive gifts, grants, donations, and other funds for urban search and rescue purposes from public and private sources.
- Requires the State Fire Marshal to submit a report with recommendations to the Legislative Assembly by September 15, 2024.
- The study and reporting requirement sunset on January 2, 2025.

[HB 3148](#) – Missing Persons – Officer Investigative Subpoena/Court Order Request Authority

Effective Date: January 1, 2024	2023 Oregon Laws Site: 333
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HB 3148 includes the key provisions:

- Allows a peace officer to request an investigative subpoena from the Attorney General, a district attorney, or a city or county attorney if there is probable cause to believe an individual is missing and in danger.
- Allows a peace officer to petition the circuit court for a court order if a person is unlikely to comply with an investigative subpoena or has already refused to comply.
- Specifies that the court may hold a hearing and issue the order if the petitioner demonstrates non-compliance or refusal.
- Requires the investigative subpoena or court order to include notice of specific provisions in the section.

- States that the subpoena or court order may be directed toward any person believed to have information, documents, or physical evidence useful in locating the missing individual.
- Specifies that the subpoena or court order may require the person to appear and testify, answer interrogatories, or produce documents or physical evidence.
- Allows a person receiving a subpoena or court order to apply to the circuit court for a protective order, modification, or other relief, including asserting constitutional rights.
- Clarifies that information, documents, or physical evidence obtained through this process cannot be used for criminal investigation or prosecution of the missing individual.
- States that the section does not change the status of disclosed confidential information, documents, or physical evidence, which retain their confidential status despite disclosure for the purpose of locating the missing individual.

❖ SENTENCING – POST CONVICTION

SB 321 - Creates Process for Non-Unanimous Jury Verdicts | Filing Petition for Post-Conviction Relief

Effective Date: July 18, 2023	2023 Oregon Laws Site: Pending
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SB 321 includes the key provisions:

- Creates a process for individuals convicted by non-unanimous jury verdict to file a petition for post-conviction relief until December 30, 2024.
- Specifies evidentiary requirements to prove the non-unanimous verdict and establishes a preponderance of evidence as the standard of proof for petitions filed after the effective date.
- Provides instructions to the court when post-conviction relief is granted.
- Allows individuals with a pending appeal to amend their petition within 90 days of the measure's effective date to include a claim under the new provision.
- In a retrial for a vacated conviction, provides jury instructions regarding previously admitted evidence that is no longer available and specifies the evidence subject to the jury instruction.
- Repeals certain provisions related to post-conviction relief on January 2, 2026.
- Clarifies that reversal or vacation of a conviction based on a non-unanimous jury verdict is not sufficient evidence of a wrongful conviction.

SB 519 – Juvenile Records Expunction | Procedure Modifications

Effective Date: September 24, 2023	2023 Oregon Laws Site: 182
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SB 519 includes the key provisions:

- Directs the juvenile department to apply for automatic expunction of juvenile records for subjects who are found within the jurisdiction of the juvenile court for acts that, if committed by an adult, would constitute one or more violations or misdemeanors if:
 - The subject has not been found to be within the jurisdiction of the juvenile court for an act that, if committed by an adult, would constitute a felony;
 - The subject person does not owe restitution;
 - The subject person has not been waived to criminal court and has not been convicted in criminal court.
- Reduces number of years, from five to four years, that must elapse since most recent termination before the subject of a record or the juvenile department can apply for expunction for those who do not qualify for automatic expunction, as long as the subject has attained 18 years of age.
- Removes requirement of financial eligibility for court-appointed counsel for a contested expungement hearing or a hearing for which expungement was denied.
- Adds requirement that if a person is requesting to expunge a record that is not eligible for the automatic expungement, owing restitution would disqualify the person's records from expungement.
- Requires that if the juvenile department grants an extension for an agency to expunge a record, the juvenile department must notify the juvenile court of the extension.
- Requires the application for expunction to contain a declaration under penalty of perjury.
- Directs the Oregon Youth Authority to consult with the county juvenile departments, the state juvenile departments, and the state court administrator to develop statewide model expunction forms for juvenile departments.
- Requires a person to reach the age of 18 prior to applying to have their record expunged when they are not eligible for automatic expungement.
- Permits the juvenile department to destroy any records in the department's possession relating to a subject person's record of motor vehicle, boating, or game violation waived into criminal or municipal court, but the destruction does not constitute expunction.
- Requires the district attorney or juvenile department to notify the victim at or before adjudication of an act of the expunction process.

SB 618 - Body Armor Sentencing Enhancements

Effective Date: January 1, 2024	2023 Oregon Laws Site: 288
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SB 618 includes the following key provisions:

- The court shall consider whether the person was wearing body armor:
 - At the time of committing the crime,
 - In the course of the crime, and
 - In furtherance of the crime.
- The court shall also consider whether the body armor was used by the person:
 - To facilitate immediate flight from the crime scene.
- Based on these considerations, the court will determine aggravating factors during the sentencing process.
- The presence of body armor during the crime will influence the severity of the sentencing for the offender.

SB 867 - Forfeiture by Wrongdoing

Effective Date: January 1, 2024	2023 Oregon Laws Site: 141
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SB 867 includes the key provisions:

- Allows the proponent of a declarant's hearsay statement to offer the statement as substantive evidence if:
 - The proponent can demonstrate by a preponderance of the evidence that the opposing party made the declarant unavailable.
 - The declarant is absent and unable to testify due to the actions of the opposing party.
- Provides that the proponent does not need to prove that they were unable to secure the declarant's attendance through legal process or other reasonable means.

❖ SEX OFFENSES

[HB 2328](#) – Unlawful Sexual Conduct Statutory Modifications

Effective Date: January 1, 2024	2023 Oregon Laws Site: Pending
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HB 2328 includes the following key provisions:

- Modifies the definition of “oral or anal sexual intercourse” for purposes of sex crimes to include contact between the anus of one person and the mouth or anus of another.
- Expands the crime of "using a child in a display of sexually explicit conduct" to include when a person knowingly creates a visual recording of a child participating or engaging in sexually explicit conduct.
- Provides that the crime of unlawful sexual penetration in the first and second degrees is accomplished when any object is used for penetration in commission of an offense.
- Provides that “object”, for the purpose of the measure, includes any body part of the actor.
- Provides that if multiple crimes are charged stemming from a single penetrative act, the court cannot issue separate convictions for each crime. Instead, the court may only enter one conviction for the entire conduct.
- Applies to conduct that occurs after the effective date of the measure.

[HB 3632](#) - Statute of Limitation Increases for Certain Sex Crimes

Effective Date: January 1, 2024	2023 Oregon Laws Site: 265
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HB 3632 includes the key provisions:

- HB 3632 (2023) increases the time in which certain sex crimes may be prosecuted, from 12 years to 20 years, or, if the victim was under age 18 at the time of the crime, when the victim turns 30, whichever is later.
- Applies change to the following crimes:
 - Rape in the first degree;
 - Sodomy in the first degree;
 - Unlawful sexual penetration in the first degree; and
 - Sexual abuse in the first degree.
- Makes the change applicable to offenses committed at any time, unless the time limitation has already passed before the measure becomes effective on January 1, 2024.

SB 957 - Public Indecency Prior Convictions/ Crime of Luring Modifications

Effective Date: January 1, 2024	2023 Oregon Laws Site: 198
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SB 957 includes the key provisions:

- Expands the types of prior convictions that increase the offense level for the crime of public indecency to include:
 - Using Child in Display of Sexually Explicit Conduct (ORS 163.670);
 - Encouraging Child Abuse in the First, Second, and Third Degree (ORS 163.684, 163.686, 163.687);
 - Possession of Materials Depicting Sexually Explicit Conduct of a Child in the First and Second Degree (ORS 163.688, 163.689); and
 - Failure to Report Child Pornography (ORS 163.693).
- Modifies the crime of Luring a Minor to include engaging in sexual conduct in the immediate presence of a minor for the purpose of inducing the minor to engage in sexual conduct.
- Modifies the affirmative defense for the crime of Luring a Minor to include that the defendant had reasonable cause to believe that the person in the immediate presence of whom the defendant engaged in sexual conduct was not a minor.

SB 974 - Creates Crime of Sexual Abuse by Fraudulent Representation

Effective Date: June 7, 2023	2023 Oregon Laws Site: 200
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SB 974 includes the key provisions:

- Creates crime of sexual abuse by fraudulent representation if the person is a licensee and knowingly subjects another person to sexual contact and falsely or fraudulently represents to the other person that the sexual contact serves a legitimate medical purpose.
- Provides that sexual abuse by fraudulent representation is a Class B felony and requires the Oregon Criminal Justice Commission to classify it as a crime category 8 on the sentencing guidelines grid.
- Provides that sexual abuse by fraudulent representation does not prohibit penetration when it is part of a medically recognized treatment or diagnostic procedure and is for a legitimate medical purpose.
- Provides that the prosecution for sexual abuse by fraudulent representation may commence within six years after the victim becomes aware or reasonably should have become aware of the criminal nature of the conduct.

- Defines sexual abuse by fraudulent representation as a sex crime requiring sex offender registration.

❖ TRAFFIC - MOTOR VEHICLE

[HB 2095](#) - Photo Radar Expansion & Local Speed Limit Authority

Effective Date: January 1, 2024	2023 Oregon Laws Site: 33
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HB 2095 includes the key provisions:

- Authorizes all cities to choose to operate photo radar if the city pays the operating costs of doing so.
- Eliminates the limitation on the number of hours per day that photo radar may be used at any one location.
- Expands authority of cities to set designated speeds for certain residential streets to a speed that is up to 10 miles per hour lower than the statutory speed, provided it is not less than 20 miles per hour.

[HB 3583](#) - State Board of Towing

Effective Date: July 18, 2023	2023 Oregon Laws Site: 348
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HB 3583 includes the key provisions:

- Permits a Board of Towing member required to be a chief of police to be either a chief of police or a county sheriff.

[SB 343](#) – Driving Privilege Revocation/Suspension Fix

Effective Date: January 1, 2024	2023 Oregon Laws Site: 176
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SB 343 includes the key provisions:

- Clarifies that incarceration means confinement in a Department of Corrections institution, as defined in ORS 421.005, for persons who had their driver’s license suspended or revoked as part of a criminal sentence and their sentence included incarceration for applications to have their driver's license reinstated.

- Provides that Section 1 and 2 of the Act apply to driving privileges suspended or revoked on or after the effective date of the Act.

Background: Under the current statute, a driver's license suspension commences after a person completes any term of incarceration, whether in the Department of Corrections (DOC) or a local jail. Upon release from custody, individuals must proactively inform the Department of Motor Vehicles (DMV) to initiate their suspension period. Unfortunately, many fail to notify the DMV, leading to extended suspensions beyond the legally mandated duration and wrongful charges of Driving While Suspended. While the DOC can notify the DMV on behalf of the released person, local jails lack this capability.

SB 780 - Unlawful Fender Height Modifications.

Effective Date: January 1, 2024	2023 Oregon Laws Site: 213
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SB 780 includes the key provisions:

- Operating a motor vehicle on a highway with modified fender height is unlawful if the front fender is four or more inches higher than the rear fender.
- The offense does not apply if the motor vehicle is carrying a load that causes the front fender to be four or more inches higher than the rear fender.
- Unlawful fender height modifications are a Class C traffic violation, unless it contributes to an accident.
- If the offense contributes to an accident, it becomes a Class A traffic violation.
- Applies to offenses occurring on or after the effective date of the Act.

❖ UNMANNED AIRCRAFT SYSTEMS (UAS)

HB 2520 – Unmanned Aircraft System (UAS) – Criminal Penalties for Wildfire Suppression Interference

Effective Date: January 1, 2024	2023 Oregon Laws Site: 249
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HB 2520 includes the following key provisions:

- **Section 1** - A person commits a Class A violation if the person possesses or controls an unmanned aircraft system and recklessly causes the unmanned aircraft system to:
 - (a) Direct a laser at an aircraft while the aircraft is in the air;
 - (b) Crash into an aircraft while the aircraft is in the air; or

- (a) Prevent the takeoff or landing of an aircraft; or
- (b) Interfere with a wildfire suppression, law enforcement or emergency response effort.
- **Section 2** - A person commits a Class A misdemeanor if the person possesses or controls an unmanned aircraft system and knowingly or intentionally causes the unmanned aircraft system to:
 - (a) Direct a laser at an aircraft while the aircraft is in the air;
 - (b) Crash into an aircraft while the aircraft is in the air; or
 - (c) Prevent the takeoff or landing of an aircraft; or
 - (d) Interfere with a wildfire suppression, law enforcement or emergency response effort.
- A person commits a Class A misdemeanor if the person commits two violations under Section 1 at the time of the offense
- In addition to and not in lieu of any other sentence the court may impose, upon a person’s second or subsequent conviction under this section, the court shall, at the time of sentencing, declare the unmanned aircraft system used in the offense to be contraband and order that the unmanned aircraft system be forfeited.

SB 810 – Unmanned Aircraft System (UAS) Penalty Changes

Effective Date: January 1, 2024	2023 Oregon Laws Site: 114
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SB 810 includes the following key provisions:

- Changes and clarifies penalties for using unmanned aircraft systems (UAS) to:
 - Direct a laser at an aircraft while it is in the air;
 - Crash into an aircraft while it is in the air; or
 - Prevent the takeoff or landing of an aircraft.
- Specifies that a knowing or intentional violation is a Class A misdemeanor but is elevated to a Class A felony if the person knowingly, intentionally, or recklessly causes death or serious physical injury with the interference.

SB 812 - Prohibits Takeoff/Landing of UAS in Parks Owned by Local Government.

Effective Date: January 1, 2024	2023 Oregon Laws Site: 115
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SB 812 includes the key provisions:

- Authorizes a local government to enact an ordinance or resolution prohibiting or regulating the takeoff and landing of unmanned aircraft systems (UAS) in parks owned by the local government.

- Requires that the ordinance:
 - Allow utility providers a reasonable ability to use UAS in parks to inspect utility lines;
 - Allow public bodies to use UAS in parks for emergency operations; and
 - Provide for an affirmative defense to a charge or claim of a violation when a person performs an emergency landing of a UAS in a park in the absence of an equally safe alternative.

❖ VICTIMS OF CRIME

[HB 2676](#) - Crime Victim Compensation Program

Effective Date: January 1, 2024	2023 Oregon Laws Site: 318
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HB 2676 includes the key provisions:

- Modifies Department of Justice (DOJ) crime victim compensation program.
- Defines cleaning expenses and expands definition of “compensable crime.”
- Provides that law enforcement notification of commission of crime must occur within reasonable time unless DOJ finds the applicant acted reasonably under the circumstances.
- Directs DOJ to adopt rules regarding terms and maximum amounts of compensation allowed if the victim is eligible for compensation award.
- Amends eligibility criteria for compensation of a victim.
- Authorizes compensation for counseling expenses for witnesses to the death of a victim and increases maximum counseling benefit for friend or acquaintance or first person to discover the body of a deceased victim.
- Includes emotional and mental injury in the definition of injury.
- Provides that medication prescribed or purchased in conjunction with counseling services is compensable.
- Authorizes compensation for lost wages for parents of minor victims.
- Increases maximum amount allowed for funeral expenses at discretion of program and provides compensation for cleaning expenses related to death or injury of person.
- Provides that claims associated with review of assailant’s case or hearing on assailant’s release do not expire.
- Repeals provisions directing the DOJ not to process compensation applications if the victim owes financial obligation associated with prior criminal conviction.
- Provides that information submitted to the DOJ by the applicant is confidential.
- Repeals provisions directing the DOJ to notify district attorneys when a compensation claim is filed and defer compensation if prosecution is pending.

[HB 2719](#) - DA's Court Petition | Defendant Charged with Certain Crimes to Submit to Testing for HIV and other Communicable Diseases

Effective Date: January 1, 2024	2023 Oregon Laws Site: 320
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HB 2719 includes the key provisions:

- Directs district attorney to petition court for order requiring defendants charged with certain crimes to submit to testing for HIV and other communicable diseases.
- Requires that any testing for HIV and any other communicable disease ordered by the court, as described in this subsection, must be done within 48 hours of the defendant's arraignment on the indictment or information.
- Provides that the results of said test must be provided to the victim of the crime, or a parent or guardian of the victim, and to the defendant, as soon as practicable.
- States that any necessary follow-up testing must be provided as medically appropriate.
- Applies to crimes alleged to have been committed on or after the effective date of the measure.

[HB 3443](#) – Victims Bias Crime Omnibus

Effective Date: January 1, 2024	2023 Oregon Laws Site: Pending
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HB 3443 includes the key provisions:

- Modifies the definition of confidentiality for data collected by the Oregon Department of Justice's Bias Response Hotline.
- Makes victims of bias crimes and incidents eligible for the Oregon Department of Justice's Address Confidentiality Program and protected leave from work.
- Grants victims of all felony bias crimes the right to be consulted during plea negotiations.
- Requires the imposition of a mandatory no-contact order for defendants accused of a bias crime at the time of booking, release, or arraignment.
- Directs the Oregon Department of Justice to develop and provide district attorney victim assistance training.
- Allows personnel staffing the hate crimes hotline to be eligible for home address confidentiality in Department of Motor Vehicle records.
- Defines relevant terms related to bias crimes.
- Extends protections for victims of bias crimes to other classes protected under Oregon's landlord-tenant laws.

- States that victims of bias crimes are not responsible for damage resulting from the crime or conduct by the perpetrator related to the bias crime.
- Permits landlords to terminate the rental agreement of a tenant who is the perpetrator of a bias crime.
- Prohibits landlords from discriminating against tenants who are victims of bias crimes.
- Requires landlords to promptly change the locks upon notice and request by a tenant who is a victim of a bias crime.
- Includes conforming amendments.
- Prohibits the initiation of mediation for disputes involving allegations of a bias crime unless initiated by the victim.

SB 597 - Victim Helpfulness Certification Requests | U-Visa Sunset Extension

Effective Date: September 24, 2023	2023 Oregon Laws Site: 110
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SB 597 includes the key provisions:

- The U-visa is a nonimmigrant visa granted to a victim of qualifying criminal activity who is helpful to law enforcement in the investigation or prosecution of the crime.
- Senate Bill 962 (2019) defined the certification request process and criteria in Oregon.
- SB 962 further required all certifying agencies to provide reports on U-visa requests to the Criminal Justice Commission (CJC), beginning June 1, 2021, and continuing annually, including information about numbers of certification requests received, denied, and pending.
- SB 597 (2023) extends the requirement for law enforcement agencies to submit data annually to the Criminal Justice Commission regarding nonimmigrant visa certification requests received, denied, or pending for qualifying crime victims who are helpful to law enforcement investigations or prosecutions.
- Requires that agencies who receive no certification requests also report that information.
- Sunsets on January 2, 2027.

❖ VULNERABLE PERSONS

SB 790 - Directs DHS | Find Public Education Program Responsible for Founded Reports of Abuse in Specified Circumstances

Effective Date: Upon Passage	2023 Oregon Laws Site: Pending
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SB 790 A includes the key provisions:

- Adds the infliction of corporal punishment and use of restraint and seclusion on a child, when in violation of existing laws, to the definition of child abuse.
- Specifies circumstances in which the Department of Human Services (DHS) can determine a public education program responsible for suspected abuse of a student.
- Directs DHS to report quarterly to the Legislative Assembly for the purpose of public review and oversight of quality and safety of education providers.
- Prohibits DHS to substantiate, in specific circumstances, an allegation of abuse against personnel of a public education program not trained to standards set by Oregon Department of Education.
- Permits DHS to find a public education program responsible for abuse by untrained personnel's inappropriate use of restraint.

SB 816 - Duration of Family Abuse Prevention Act Restraining Order | Modification

Effective Date: January 1, 2024	2023 Oregon Laws Site: 140
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SB 816 includes the key provisions:

- Extends the duration of certain restraining orders from one year to two years.
- Authorizes the order to be withdrawn or amended.
- Applies to restraining orders entered or renewed after the effective date of the measure

SB 901 - Investigative Subpoenas in Child Abuse Investigations

Effective Date: June 7, 2023	2023 Oregon Laws Site: 195
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SB 901 includes the key provisions:

- Authorizes Director of Human Services to issue subpoena for documents and records in connection with child abuse investigations including:

- Audio records
- Video records
- Photographs
- Student records

SB 1052 - Involuntary Servitude and Human Trafficking

Effective Date: January 1, 2024	2023 Oregon Laws Site: 217
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SB 1052 includes the key provisions:

- Provides that the crime of subjecting another person to involuntary servitude in the second degree occurs if a person knowingly and without lawful authority forces or attempts to force the other person to continue to engage in services by subjecting the person to:
 - Debt bondage;
 - Instilling in the other person a fear that the actor will withhold medical care;
 - Controlling or threatening to control the other person's access to a controlled substance; and
 - Fraud or misrepresentation.
- Defines debt bondage as the inducement of another person to provide labor or services in payment toward or satisfaction of a real or purported debt if:
 - The reasonable value of the labor or services is not applied toward the repayment of the debt; or
 - The length of the labor or services is unlimited and the nature of the labor or services is not defined.
- Provides that the crime of subjecting another person to involuntary servitude in the first degree occurs when a person knowingly and without lawful authority forces or attempts to force the other person to continue to engage in services by threatening to cause death or serious physical injury or physically restraining the person.
- Provides that force or attempted force can be proven by considering the:
 - Age of the person;
 - Relationship between the person and the defendant;
 - Immigration status of the other person; and
 - Handicap or disability of the other person.
- Requires the Oregon Criminal Justice Commission to classify subjecting another person to involuntary servitude in the first degree as crime category 9 and in the second degree as a crime category 8 on the sentencing guidelines grid when the victim is under 18 years of age at the time of the offense.

- Provides that a person commits the crime of trafficking in persons if the person knowingly recruits, entices, or obtains by other means another person and the person knows or recklessly disregards the fact that the other person will be subjected to involuntary servitude.
- Creates an affirmative defense to nonperson crimes if the person was a human trafficking victim at the time of engaging in the conduct and engaged in the conduct due to being a human trafficking victim.
- Provides that a person injured under the crime of subjecting another person to involuntary servitude may bring civil damages within 10 years:
 - After the date on which the conduct giving rise to the claim ceases; or
 - If the plaintiff was a minor at the time, the date on which the plaintiff turns 18.
- Requires alcohol services permittee to report suspected human trafficking.
- Directs the Board on Public Safety Standards and Training to include training on labor and sex trafficking in the required police officer training.
- Requires the Department of Justice to develop a training program on human trafficking awareness for state agencies by January 1, 2025.
 - Requires state agencies that come into contact with potential human trafficking victims to take this training annually.

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