

OACP Legislative Session Report 2024



OVERVIEW

On Thursday evening, March 7th, the Oregon Legislature adjourned the 2024 Legislative Session three days short of the 35-day constitutional limit. Unlike the six-month sessions conducted in odd-numbered years, the short sessions in even-numbered years progress at a rapid pace due to tight deadlines necessary to keep the process moving.

In 2010, voters overwhelmingly passed Ballot Measure 71, a legislatively referred measure that created time-limited annual sessions of the Oregon Legislature. As originally intended, the short session was designed to allow the legislature to adjust the state budget and to fix problems with legislation adopted during the long session in odd-numbered years.

For several reasons, the short session has expanded well beyond the original intent by entertaining substantial and often controversial legislative initiatives. This creates a challenging dynamic because the aggressive short session timelines necessitate action without full deliberation and the politically charged election-year atmosphere doesn't always result in thoughtful public policy. Nevertheless, the Oregon Legislature swiftly addressed several pressing issues in the 2024 Session, including the state's serious struggles with addiction and fentanyl overdoses, the crisis of housing accessibility and affordability, and campaign finance reform.

In contrast to previous sessions marked by walkouts and discord, bipartisan cooperation prevailed in addressing the state's challenges. Just prior to Session, the Oregon Supreme Court issued a decision on Ballot Measure 113 disqualifying 10 Senators from running for another term of office. With nothing more to lose, pundits wondered how the decision would impact the way disqualified Senator's would choose to engage during the session and some speculated that they could disrupt the session by refusing to participate. In the end, the 8 Senate Republicans and 2 Independents accepted their fate and engaged productively throughout the short session.

Results for law enforcement and public safety interests during the 2024 Legislative Session were positive, both in terms of budgetary appropriations and policy measures.

Addiction and Fentanyl Overdose Crisis Package (HB 4002 & HB 5204):

Legislative leaders from both parties identified reform of Ballot Measure 110 as their top priority for the 2024 Legislative Session. Prior to session, a newly appointed Joint Committee on Addiction and Community Safety Response was tasked with exploring options for addressing the crisis and developing legislative solutions. In response to a wave of public discontent over Oregon's runaway addiction crisis that is costing lives and eroding community safety and livability, the legislature passed legislation to increase penalties for drug dealers, create a "treatment facing" drug enforcement misdemeanor crime for drug possession and appropriated \$211 million for investments in drug treatment capacity and other critical programs and services. The package was strong enough for the Coalition to Fix and Improve Measure 110 to agree to withdraw their initiative petitions once the Governor signs the bills constituting the package.

Campaign Finance Reform (HB 4024):

Oregon lawmakers worked quickly to develop a consensus campaign finance reform proposal that avoids an expensive and complicated fight over two ballot measures expected to reach the ballot in November. The proposal, which will have support from both business groups and labor unions, creates a system that is fair, constitutional, and allows candidates to maintain control over their own voice. It also preserves the right for Oregon's private-sector employers to directly participate. As a condition of the bill's passage, petitioners behind IP 9 and IP 42 have agreed to withdraw their ballot measures.

Oregon Housing Package (HB 1530, HB 1537 & HB 4134):

The legislature passed a \$376 million housing package aimed at boosting homebuilding across the state includes \$94.3 million in direct allocations to cities for 44 infrastructure projects across the state to support shovel-ready housing production. The package of bills also includes authorization for local governments to make one-time urban growth boundary expansions under certain conditions, tap into a new \$75 million revolving loan fund to help pay for middle-income and affordable housing, and make other moves to build homes. This was the Governor's top priority for the 2024 Legislative Session.

GETTING THE MOST FROM THE REPORT

2024 Legislative Session

01

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.

02

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.

03

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 2025 Edition of the Oregon Revised Statutes includes the law changes made by the Oregon Legislature during the 2024 Legislative Session. The next ORS update will be published by the end of 2027.

GETTING THE MOST FROM THE REPORT

2024 Legislative Session

04

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 2024 Legislative Session, these measures will take effect on January 1st, 2025.
- 91 Days After Sine Die Effective Date: Some measures designate that a measure will take effect 91 days after the last day of session. For the 2024 Legislative Session, the date would be June 6th, 2024.
- “Emergency Clause” - Takes Effect Upon Final Passage: 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.

05

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.

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ADDICTION/BM 110

HB 4001:

Task Force on Specialty Courts

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

HB 4001 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Establishes the Task Force on Specialty Courts (the Task Force) and specifies membership appointments of 19 members, including:
 - Two members who are district attorneys, or the designees of district attorneys (Appointed by Senate President).
 - Two members who are behavioral health providers (Appointed by Senate President).
 - One member representing veterans (Appointed by Senate President).
 - Two members who are employed as public defenders (Appointed by Speaker of the House).
 - One member representing the Oregon Youth Authority (Appointed by Speaker of the House).
 - Two members representing county governing bodies, one from a county with a population of over 300,000, and one from a county with a population of less than 50,000 (Appointed by Speaker of the House).
 - One member representing the Department of Human Services (Appointed by Speaker of the House).
 - One member representing the Oregon Criminal Justice Commission (Appointed by Governor).
 - One member representing either the Oregon Health Authority or a coordinated care organization representing a payer (Appointed by Governor).
 - One member who is a community corrections director (Appointed by Governor).
 - One member who is a law enforcement officer (Appointed by Governor).
- Directs the Task Force to study certain issues concerning specialty courts.
- Requires the Task Force to submit a report on its findings and recommendations to the interim committee of the Legislative Assembly related to the judiciary no later than November 15, 2024.
- States that the Director of the Legislative Policy and Research Office shall provide staff support to the task force.
- Provides that members of the Task Force are volunteers and not entitled to compensation or reimbursement for expenses.
- Repeals provision on December 31, 2024.

ADDICTION/BM 110

HB 4002:

Addiction and Community Safety Package: BM 110 Reform

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

PUBLIC SAFETY PROVISIONS - SECTION BY SECTION ANALYSIS:

HB 4002 is a 65-page omnibus measure designed to remove barriers and establish programs and policies aimed at improving access to substance use disorder (SUD) treatment. It also creates increased penalties and provisions related to the possession or delivery of controlled substances. The following outline focuses specifically on the public safety provisions that appear beginning on page 22 of the bill through the end of the measure. The first part of the measure covers behavioral health policies and programs. Here are the key provisions:

Boyd/Hubbell Fix - Definition of Delivery of Controlled Substances (Section 24):

- Expands the definition of “deliver” or “delivery” to include the possession of a controlled substance with intent to transfer to another person. The definition is a fix to an Oregon Supreme Court decision in *State v. Boyd* that obstructed prosecution for delivery of a controlled substance where a specific buyer was not identified at the time of arrest.
- Defines “within 30 feet” and “within 500 feet for purposes of enhanced penalty for delivery noted below.

Penalty Enhancement for Drug Delivery in Certain Locations (Section 25):

- Increases the penalty for conviction for delivery of a controlled substance if the person knows or reasonably should have known they were:
 - Within 500 ft of a treatment facility - “Treatment facility” as defined in ORS 430.306.
 - Within 500 ft of a Temporary residence shelter” – Defined as a building that provides shelter on a temporary basis for individuals and families who lack permanent housing.
 - Inside of or within 30 ft of a public park – Defined as a park operated by the state, a county, a city or a park and re- creation district.
 - Classifies the enhanced penalty as a Crime Category 7 of the sentencing guidelines grid of the Oregon Criminal Justice Commission (CJC) if the delivery is for consideration and as a Crime Category 5 if there is no consideration.

Reevaluation of Release Guidelines (Sections 26 and 27):

- Directs the Chief Justice’s Criminal Justice Advisory Council to reevaluate and update the pretrial release criteria for persons arrested for delivery or manufacture of controlled substances.
- Repeals this section on January 2nd, 2025.

ADDICTION/BM 110

HB 4002:

Addiction and Community Safety Package: BM 110 Reform

HB 4002 PROVISIONS CONTINUED, PT. 2...

Conforming Amendments (Sections 28 – 32)

Applicability (Section 33):

- Provides that sections 24, 25 and 28 to 32 of this act apply to conduct occurring on or after the effective date of this act.

New “Drug Enforcement Misdemeanor” for drug possession (PCS): (Sections 34 and 35):

- The court may impose a term of imprisonment of up to 180 days upon the request of the defendant: or
- If a straight jail sentence is not imposed, the court shall suspend imposition of sentence and impose up to 18 months probation and shall not order any jail time as a condition of probation. Probation may be extended beyond 18 months by agreement of the probationer but may not exceed 5 years.
- If the terms of probation are found to have been violated, structured jail sanctions may be imposed by agreement of the defendant or by order of a court, up to a total of 30 days jail. Any term of incarceration must allow for early release to a treatment facility.
- Upon revocation of a probation sentence imposed as provided by this section, a court may order up to 180 days in jail with the option of early release to an inpatient or outpatient drug and alcohol treatment program under the supervisory authority of county community corrections and pursuant conditions of a release agreement.
- Requires any jail sentence be reduced for any day the defendant is on release to a treatment program or previously served in custody.
- Prohibits a court from imposing any fines or fees for a conviction for a drug enforcement misdemeanor PCS.

Creates Pre-Booking Diversion/Deflection Programs (Sections 36 – 38):

- Encourages law enforcement agencies and district attorneys, in lieu of arrest or prosecution of persons unlawfully in possession of a controlled substance constituting a drug enforcement misdemeanor, to refer or divert a person to a deflection program as defined by the measure.
- Directs the Criminal Justice Commission (CJC), no later than 12 months after the effective date of this 2024 act, to conduct a study to determine best practices for deflection programs and make recommendations for funding of the Oregon Behavioral Health Deflection Program.
- Requires the CJC, no later than 18 months after the effective date of this act, to develop standards and best practices for deflection programs using data received from program results.
- Provides that the CJC shall establish a statewide system for tracking data concerning deflection program outcomes as specified and to maintain a publicly available list of deflection programs operating within the state.
- Defines “deflection program” as a collaborative program between law enforcement and behavioral health systems that assist individuals who may have substances use disorder, another behavioral health disorder, or co-occurring disorders, to create community-based pathways to treatment, recover support services, housing, case management, or other services.
- Allows for citations for the misdemeanor crime of PCS created by this section to include a date on which a person shall appear to be more than 30 days after the date the citation was issued to allow the person to participate in a deflection program as defined by this act.

ADDICTION/BM 110

HB 4002:

Addiction and Community Safety Package: BM 110 Reform

HB 4002 PROVISIONS CONTINUED, PT. 3...

Drug Enforcement Misdemeanor Conforming Amendments (Sections 39-46)

Supervision Duty and Funding (Sections 47- 50):

- Directs the Department of Corrections (DOC) to assume responsibility for community-based supervision for offenders on conditional discharge agreement for a drug enforcement misdemeanor. Expands definition of “designated drug-related misdemeanor” to include the drug enforcement misdemeanor constituting PCS established by this act.

Conditional Discharge (Sections 51 - 53):

- Requires a court, at the request of a person charged with a drug enforcement misdemeanor constituting PCS, to defer further proceedings and place the person on probation. Establishes terms authorized to be included in a conditional discharge agreement and certain rights a defendant must waive.
- Some of the requirements for entry into and terms of the agreement include:
 - That the person request to enter into the agreement no later than 30 days after the person’s first appearance, unless good cause is shown for delay.
 - An initial term of probation of 12-months and up to 30 days jail may be imposed as a sanction upon if terms of probation are violated.
 - Imposition of general conditions of probation as described in ORS 137.540(1) and a requirement that the defendant complete a substance abuse evaluation and treatment.
 - The understanding that the criminal charges filed will be dismissed with prejudice upon fulfillment of the probation terms as agreed, including upon early termination of probation period.

Expungement (Sections 54 - 56):

- Requires the sealing or expungement of records related to a person's conduct constituting a drug enforcement misdemeanor constituting PCS as follows:
 - Provides that deflection coordinators shall provide written verification that a person has completed a deflection program to the court, law enforcement agency, and the district attorney with authority to prosecute the offense and to the court with legal jurisdiction.
 - Within 60 days of receiving verification, the law enforcement agency and the district attorney shall seal all records related to the person’s participation in the program and the court shall seal all electronic records created concerning the offense.
 - If no further prosecutorial action has been taken after two years from the date of citation for or contact with law enforcement for conduct constituting a drug enforcement misdemeanor constituting PCS, any law enforcement agency or district attorney that possesses records related to the citation or conduct shall seal the records within 60 days of conclusion of two-year period. Any electronic court records related to the citation or conduct shall be sealed within 60 days of conclusion of two-year period.
 - When a person successfully completes probation as part of a conditional discharge agreement as described by this proposed act and the court dismisses the proceedings the court shall, within 90 days after dismissal, order all records relating to the arrest or citation and criminal proceedings be sealed. Directs the clerk of the court to forward a certified copy of said order to applicable agencies.

ADDICTION/BM 110

HB 4002:

Addiction and Community Safety Package: BM 110 Reform

PUBLIC SAFETY PROVISIONS CONTINUED, PT. 4...

Operative Dates and Applicability (Sections 73 and 74):

- Provisions establishing the new drug enforcement misdemeanor constituting PCS and related to sentencing, supervision, and expungement of records for the crime, become operative on September 1, 2024, and apply to conduct occurring on or after that date.
- Authorizes specified agencies to take any actions necessary before the operative date specified to meet obligations created by the measure.

Data Tracking (Section 75):

- Requires the Oregon Criminal Justice Commission (CJC) to collect and analyze certain data and demographics concerning deflections, arrests, charges, and convictions for unlawful possession of a controlled substance and delivery of a controlled substance offense.
- Directs the CJC, beginning August of 2025, to provide a report annually to the judiciary committees containing an analysis of the data.
- Exempts any information collected by the CJC that may reveal the identity of any individual from public disclosure in any manner.
- **Note:** An additional budget related data tracking and the responsibilities of the Criminal Justice Commission under HB 4002 was included in SB 5701. A budget note is not legislation, but it provides clarity and direction for agencies. The note says:

The Oregon Criminal Justice Commission, based on prior criminal justice system patterns, predicted that racial disparities are likely to exist for convictions for possession of controlled substances, and prison sentences for delivery of controlled substances following the passage of HB 4002. Given that it is a goal of the Legislature to ensure that HB 4002 is implemented equitably, the Commission is required to work collaboratively with counties to develop strategies to address racial disparities that were predicted in the Racial and Ethnic Impact Statement on HB 4002 (2024) and ensure that guidelines for impact grants are adhered to. The Commission is directed to report to the Joint Committee on Addiction and Community Safety Response during the legislative session in 2025 regarding its efforts to collaborate with counties regarding the minimization of racial disparities as well as to the racial and ethnic impact of HB 4002 and the extent to which county and tribal deflection programs are mitigating the negative impacts of criminal justice system involvement across racial/ethnic groups.

ADDICTION/BM 110

HB 4002:

Addiction and Community Safety Package: BM 110 Reform

PUBLIC SAFETY PROVISIONS CONTINUED, PT. 5...

Oregon Behavioral Health Deflection Program (Sections 76 - 79):

- Defines “deflection program” as a collaborative program between law enforcement and behavioral health systems that assist individuals who may have substance use disorder, another behavioral health disorder, or co-occurring disorders, to create community-based pathways to treatment, recover support services, housing, case management, or other services.
- Establishes the Oregon Behavioral Health Deflection Program (BHDP) within the Improving People's Access to Community-based Treatment, Supports and Services (IMPACTS) grants program and directs the CJC to develop a separate grant application and review processes for community mental health programs.
- Provides minimum requirements for grant applications and programs to be eligible for funding.
- Directs the CJC, in cooperation with the Oregon Health Authority, to monitor progress of and evaluate program outcomes for applicants that receive grant funds and to report annually, beginning September 2025, to the relevant interim committees of the Legislative Assembly.
- Establishes the Oregon Behavioral Health Deflection Program Account and appropriates funds for the purpose of carrying out the provisions relating to the BHDP.
- Increases membership of the IMPACTS grants review committee from 19 to 21.

Expansion of Welfare Holds (Section 80):

- Extends authority provided in ORS 430.399 for a director of a treatment facility to hold an individual from up to 48 hours to up to 72 hours.

Opioid Use Disorder Medication Grant Program (Sections 81 – 89):

- Establishes the Oregon Jail-Based Medications for Opioid Use Disorder Grant Program in the Oregon Criminal Justice Commission (CJC) to provide treatment and transition planning services to persons in custody in local and tribal correctional facilities.
- Directs the CJC, in collaboration with the Oregon Health Authority (OHA), to administer the grant program and establish certain requirements for grant applicants.
- Requires at least 10 percent of total moneys awarded be to local correctional facilities in rural areas as defined by the measure or to tribal correctional facilities.
- Includes directives on how grant awards may be used by recipients.
- Establishes the Oregon Jail-Based Medications for Opioid Use Disorder Fund within the State Treasury to be continuously appropriated to the CJC for purposes of carrying out the obligations as directed by these sections.
- Directs the CJC to report on the grant program as described, no later than December 1, 2024, to the interim committees of the Legislative Assembly related to judiciary and health care.

Note: The “budget allocations” that correspond to the policy provisions in HB 4002 are contained in HB 5204.

ADDICTION/BM 110

SB 1553:

Crime of Using Drugs in Public Transit Vehicle

Effective Date: June 6th, 2024

2024 Oregon Laws Cite: Pending

HB 1553 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Modifies the crime of interfering with public transportation to include a person who knowingly ingests, inhales, ignites, injects or otherwise consumes a controlled substance that is not lawfully possessed by the person while in or on a public transit vehicle.
- “Public transit vehicle” is defined as a vehicle that is used for public transportation or operated by or under contract to any public body in order to provide public transportation.
- Defines Interfering with public transportation under ORS 166.116 as a designated drug-related misdemeanor for purposes of clarifying supervision duty and state responsibility for funding.
- Punishes by a maximum of 364 days’ imprisonment, a \$6,250 fine, or both.

ANIMAL/WILDLIFE CRIMES AND OFFENSES

HB 4043

Crime of Interfering with an Investigation Into an Offense Against an Animal

Effective Date: June 6th, 2024

2024 Oregon Laws Cite: Pending

HB 4043 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Creates the crime of interfering with an investigation for offense against an animal
 - Occurs when a person intentionally or knowingly conceals or transports an animal or takes other action to prevent a peace officer or veterinarian from examining the suspected animal victim.
- For animal abuse in the third degree:
 - Removes intentional and knowing mental states, leaving reckless behavior
 - Modifies elements to include death, in addition to serious physical injury, and removes the need for the cause of death to be done in a cruel manner.
- Directs the CJC to classify the offense of a person committing animal abuse in the presence of a minor, as a crime category 7.
- Modifies the mental state for a crime of aggravated animal abuse in the first degree from maliciously killing an animal or intentionally or knowingly torturing an animal to intentionally or knowingly torturing an animal or causing serious physical injury or death to an animal.
- Increases the crime of animal neglect to a Class C felony if the person acts intentionally, knowingly or recklessly as to cause physical death or injury to the animal.
- Prohibits a person who has been convicted of certain animal cruelty crimes from possessing or residing with an animal of the same genus against which the crime was committed or any domestic animal for a period of five years after the conviction.
 - Allows a person subject to the prohibition to request modification or termination of the prohibition if certain requirements are met.
- Clarifies that the measure does not affect certain exemptions, including working with livestock, rodeo animals, controlling vermin, hunting, fishing, reasonable animal training techniques, or good veterinary practices.

ANIMAL/WILDLIFE CRIMES AND OFFENSES

HB 4145

Crime of Visual Recording of Aggravated Animal Abuse

Effective Date: June 6th, 2024

2024 Oregon Laws Cite: Pending

HB 4145 INCLUDES THE FOLLOWING KEY PROVISIONS:

- HB 4145 includes the following key provisions:
- Amends aggravated animal abuse in the first degree to include the act of intentionally or knowingly creating a visual recording of a person maliciously killing an animal or torturing an animal.
- Creates the crime of encouraging aggravated animal abuse in the first degree:
 - Criminalizes the duplication, dissemination, financing, or possessing with intent to do the same, visual recordings of maliciously killing or torturing an animal.
 - Criminalizes knowingly bringing into Oregon for sale or distribution of the visual recordings of maliciously killing or torturing an animal with an awareness of and conscious disregard for the fact that the creation of the visual recordings involved aggravated animal abuse.
 - Classifies the crime as a Class A misdemeanor.
 - Prohibits a person from possessing an animal of the same genus of the crime for 5 years after conviction, with certain exceptions
- Creates the crime of encouraging aggravated animal abuse in the second degree:
 - Criminalizes knowingly possessing, exchanging, or giving consideration to obtain or view a visual recording of a malicious killing or torturing of an animal with an awareness of and conscious disregard for the fact that the creation of the visual recordings involved aggravated animal abuse.
 - Classifies the crime as a Class B misdemeanor.
 - Prohibits a person from possessing an animal of the same genus of the crime for 5 years after conviction, with certain exceptions.

BEHAVIORAL HEALTH CRISIS/MENTAL HEALTH

SB 1503

Task Force on Community Safety and Suicide Prevention

Effective Date: June 6th, 2024

2024 Oregon Laws Cite: Pending

SB 1503 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Establishes the Task Force on Community Safety and Firearm Suicide Prevention Task Force, staffed by the Department of Justice (DOJ).
- The task force will include 17 members:
 - Two members from the Senate, one from the minority party, must be appointed by the Senate President (nonvoting);
 - Two members from the House, one from the minority party, must be appointed by the Speaker of the House (nonvoting);
 - A representative of a state public health agency;
 - A public safety policy advisor to the Governor;
 - A representative of a nonprofit organization focused on suicide prevention with experience in lethal means safety;
 - A representative of a community-based firearm safety and protocols program;
 - A representative of the public health research field;
 - A behavioral health professional or provider;
 - An adult behavioral health provider;
 - A medical provider who has worked with firearm violence victims;
 - A psychologist who works with youth;
 - A tribal representative from a suicide prevention program;
 - A person with lived experience with community safety threats or suicidal ideation;
 - **A representative of law enforcement;** and
 - A professional who works in veterans' mental health.
- Directs the Task Force to study specific issues related to public health best practices for reducing deaths from community safety threats and for suicide prevention.
- Requires the Task Force to coordinate with:
 - The DOJ;
 - The Oregon Health Authority (OHA);
 - Federally recognized Indian Tribes in Oregon;
 - Sheriff departments that provide for voluntary storage of firearms;
 - Local faith-based groups; and
 - The Oregon Alliance to Prevent Suicide.
- Directs the Task Force to submit reports to the interim legislative committees related to health care, by September 15, 2024, and September 15, 2025.
- Appropriates \$400,000 from the General Fund to the DOJ to fund research ordered by the Task Force.
- Sunsets the measure on December 31, 2026.

BUDGET ALLOCATIONS

HB 5204

\$211.16 Million - Addiction and Community Safety Investments

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

HB 5204 INCLUDE THE FOLLOWING KEY BUDGET PROVISIONS:

PUBLIC SAFETY INVESTMENTS

- **\$12.16 Million: Specialty Courts** – Designed to stabilize funding for existing specialty courts and investments in new specialty courts. Note: HB 4001 creates a taskforce to ensure the sustainability and effectiveness of our current specialty court system. The \$12.16 million appropriation includes:
 - \$8.19 Million investment into CJC's specialty court programs will fill the gap between courts that applied for funding and the funding that is available.
 - \$3.97 Million investment to OJD will fund additional court coordinators that provide stability and coordination for local courts and their partners.
- **\$16 Million: Community Corrections**
 - Appropriated to the Department of Corrections for distribution to community corrections to mitigate personnel actions and prevent layoffs from reduced population caseload.
- **\$30.54 Million - Pre-Booking Diversion/Deflection Programs** - Deflection programs are funded in two ways, direct funding to community mental health programs for the behavioral health services required for deflection and IMPACTS grant funding for counties. For the counties who committed to setting up a deflection program, they will get a portion of the IMPACTS funds up front as a direct allocation. This 30.54 Million appropriation includes:
 - \$9.83 Million for Community Mental Health Program funding through the county contracts for behavioral health services related to deflection and diversion.
 - \$20.71 Million for the Oregon Behavioral Health Deflection Program in the Criminal Justice Commission. The following counties will receive a distribution of funds within 60 days after the effective date of the measure:
 - *Baker County, Benton County, Clackamas County, Clatsop County, Columbia County, Crook County, Curry County, Deschutes County, Gilliam County, Grant County, Harney, County, Hood River County, Jackson County, Josephine County, Klamath County, Lane County, Malheur County, Marion County, Morrow County, Multnomah County, Umatilla County, Wasco County and Washington County*
- **\$14.25 Million: Public Defense Services** – Includes the following appropriations:
 - Public Defense Attorney Capacity - \$12.19 Million
 - Public Defense Workforce – Law school clinics - \$2.06 Million
- **\$7.56 million: Associated Agency Administrative Investments** – Includes the following appropriations:
 - \$2.96 million for OJD costs related to crime statute changes.
 - \$3.45 million for CJC to implement deflection grant program and inter-agency coordination, Forensic Lab testing.
 - \$1.15 million for OHA costs related to expansion of Certified Community Behavioral Health Centers, interagency coordination, and shared services.

BUDGET ALLOCATIONS

HB 5204

\$211.16 Million - Addiction and Community Safety Investments

HB 5204 BUDGET PROVISIONS CONTINUED, PT. 2...

BEHAVIORAL HEALTH CAPACITY AND SERVICES

- **\$85.4 million: Shovel-ready behavioral health capital projects** - addressing system capacity for crisis stabilization, detox and residential treatment beds including the following 23 project appropriations:
 1. \$600,000 to New Directions Northwest, Inc., to build a crisis receiving center addition to the Recovery Village Crisis Stabilization and Detox Center.
 2. \$5,000,000 to Benton County Health Department Behavioral Health Division to relocate Children and Family Services.
 3. \$4,000,000 to Clackamas County for the construction of a crisis stabilization center.
 4. \$500,000 to Clatsop Behavioral Healthcare to acquire detox and substance use disorder treatment residential beds.
 5. \$400,000 to Coos Health and Wellness for the development of a sobering center.
 6. \$525,000 to BestCare Treatment Services, Inc., to expand detox capacity in central Oregon.
 7. \$1,500,000 to Deschutes County Community Mental Health Program to support the Deschutes County Stabilization Center.
 8. \$5,000,000 to Adapt Integrated Health Care to support the construction of the Adapt Recovery Campus.
 9. \$500,000 to Addictions Recovery Center, Inc., for sobering center operations.
 10. \$1,000,000 to Addictions Recovery Center, Inc., to support the Substance Use Disorder Withdrawal Management Expansion project.
 11. \$1,500,000 to BestCare Treatment Services, Inc., to develop culturally specific substance use disorder residential treatment capacity.
 12. \$2,400,000 to Klamath Basin Behavioral Health to support the construction of a residential treatment facility with a crisis stabilization center.
 13. \$2,500,000 to Transformations Wellness Center for the construction of a residential, co-occurring, substance use disorder treatment facility with detox beds.
 14. \$4,000,000 to Willamette Family, Inc., to support the construction of the Willamette Family Medical Detox and Resident Services facility.
 15. \$3,500,000 to Lincoln County Health and Human Services Department to support the Lighthouse Village Apartments Mental Health Housing project.
 16. \$5,750,000 to Lifeways, Inc., for the Ontario Medical Plaza project to convert vacant retail space into an integrated healthcare facility with supported housing units.
 17. \$11,500,000 to Bridgeway Recovery Services, Inc., for the development of the Bridgeway Medical Center and substance use disorder treatment residential facilities.
 18. \$10,000,000 to Multnomah County to support the construction of a behavioral health drop-off center.
 19. \$4,000,000 to the 4th Dimension Recovery Center (4D Recovery) to support the acquisition of a facility to provide adolescent substance use disorder residential and outpatient services.
 20. \$4,000,000 to Cascade AIDS Project to purchase the Prism Health facility located on North Morris Street, Portland, Oregon.
 21. \$333,000 to Wallowa Valley Center for Wellness to support phase 2 of the Park Street Transitional Housing project.
 22. \$8,000,000 to Wasco County to support the development of the Mid-Columbia Center for Living Campus.
 23. \$8,900,000 to Washington County Behavioral Health Division to support the development of the Center for Addictions Triage and Treatment project.

BUDGET ALLOCATIONS

HB 5204

\$211.16 Million - Addiction and Community Safety Investments

HB 5204 BUDGET PROVISIONS CONTINUED, PT. 3...

BEHAVIORAL HEALTH CAPACITY AND SERVICES

- **\$7.5 Million: Community Restoration Resources for Aid and Assist** - Community restoration fund resources to serve individuals who have been found to be unable to aid and assist in their own defense.
- **\$10 Million: Access to Medication Assisted Treatment in Jails** - HB 4002 creates a program to provide MAT in jails across the state.

DRUG PREVENTION INVESTMENTS

- **Investment in drug prevention programs includes several targeted appropriations including:**
 - \$1.99 Million – Oregon Department of Education for development of curricula supplements related to the dangers of synthetic opioids, including fentanyl or any substituted derivative of fentanyl, and good Samaritan laws for the 24-25 school year.
 - \$750,000 - Drug Endangered Children Grants
 - \$2,700,000 – Funding for Relief Nurseries
 - \$3,160,000 - Nurse Family Partnership
 - \$1,000,000 - Portland Opportunities Industrialization Center (POIC) for a peer-to-peer mentoring outreach program
 - \$4,000,000 - Restorative Justice
 - \$2,500,000 - East Metro Outreach Prevention and Intervention Program
 - \$500,000 – Jail Re-entry Pilot Program – Directed to the Oregon State Sheriffs' Association through the Oregon Criminal Justice Commission
 - \$150,000 - Women's First Transition Center

BEHAVIORAL HEALTH WORKFORCE

- **\$4.8 Million - United We Health** – To establish a behavioral health training trust to provide apprenticeships to increase the behavioral health workforce (See SB 1594)
- **\$4 Million - Higher Education Funding for Behavioral Health Training** - Allocated to each of the following six public universities for behavioral health workforce education:
 - \$666,667 to Eastern Oregon University.
 - \$666,667 to Oregon Institute of Technology.
 - \$1,333,332 to Portland State University.
 - \$666,667 to Southern Oregon University.
 - \$666,667 to Western Oregon University.

COORDINATION AND PLANNING APPROPRIATIONS

- **\$810,000 - Youth Strategic Plan** – Oregon Alcohol and Drug Policy Commission will conduct a Youth Strategic Plan for behavioral health services.
- **\$400,000 - Taskforce on Regional Behavioral Health and Behavioral Health Workforce Safety** tasked with developing recommendations to improve statewide behavioral health governance and strengthen evidence-based funding decisions.
- **\$1 Million - Public Service Campaign and Education** - to create an outreach and education campaign in advance of the September 1 law changes.

BUDGET ALLOCATIONS

SB 5701

2024 Omnibus Funding Measure - Public Safety Appropriations

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

SB 5701 INCLUDES THE ADDITIONAL FUNDING ALLOCATIONS TO PUBLIC SAFETY:

- **Internet Crimes Against Children Program**
 - \$2,670,217 to the Department of Justice for the Criminal Justice Division. This will fund 14 new positions in the ICAC Unit at Oregon DOJ.
- **DPSST Training Position Compensation Adjustments**
 - \$1,800,778 to DPSST
- **Expenses of District Attorneys for Victim Assistance, Investigation and Temporary Staffing and Other One Time, Nonroutine Prosecution Expenses Related to Non Unanimous Jury Convictions**
 - \$1,000,000 to the Department of Justice
- **Traffic Safety Resource Prosecutor in the DUII program**
 - \$396,936 to the Department of Justice for the Criminal Justice Division
- **Oregon Crime Victims Law Center**
 - \$750,000 to the Department of Justice for the Crime Victim and Survivor Services Division
- **Attorney General's Sexual Assault Task Force**
 - \$400,000 to the Department of Justice for the Crime Victim and Survivor Services Division
- **Assistance to District Attorneys and Enforcement Activities Under the Racketeer Influenced and Corrupt Organizations Act Against Drug Trafficking Organizations.**
 - \$1,975,376 to the Department of Justice for the Criminal Justice Division
- **Survivor Housing Funds Grant Program**
 - \$2,000,000 to the Department of Justice for the Crime Victim and Survivor Services Division
- **Oregon Domestic and Sexual Violence Services Fund to Assist Victims of Domestic Violence or Sexual Assault**
 - \$2,000,000 to the Department of Justice for the Crime Victim and Survivor Services Division
- **Oregon Domestic and Sexual Violence Services Fund to Assist Victims of Domestic Violence or Sexual Assault with Emergency Shelter and Safety Planning**
 - \$2,000,000 to the Department of Justice, for the Crime Victim and Survivor Services Division
- **Reimbursement to Counties for the Costs of Incarcerated Persons Sentenced Under Felony DUII**
 - \$620,000 to the Department of Corrections for Community Corrections

CRIMES AND VIOLATIONS

HB 4156

Modifies Definitions Pertaining to Stalking Orders and Stalking Offenses

Effective Date: July 1, 2024

2024 Oregon Laws Cite: Pending

HB 4156 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Expands the definition of contact in ORS 163.730 to include:
 - Obtaining, possessing, transferring, creating, uttering, or converting to the person's own use the personal identification of the other person;
 - Disclosing an intimate image of the other person without consent;
 - Using electronic means to obtain, monitor, or interfere with the location, communication, or activities of the other person without consent; and
 - Causing or attempting to cause a third person to harass or humiliate the other person by disclosing the person's name, image, or personal information without consent.
- Expands felony-level stalking and felony-level violating a court's stalking protective order to include:
 - When the person has a prior conviction for a crime in another jurisdiction that is the same as stalking or violating a stalking protective order in Oregon;
 - When the person is the respondent for an active stalking, intimidating, molesting, or menacing protection order in any jurisdiction regarding a person who is not the victim of the current offense; and
 - When at least one instance of the unwanted contact in the current offense was the commission against the victim of the current offense of:
 - A felony;
 - Unlawful dissemination of an intimate image; or
 - Unlawful use of a global positioning system device.
- Increases the classification of felony-level stalking and felony-level violating a court's stalking protective order from a Class C to a Class B felony.
- Adds that conduct qualifying as violating a stalking protective order may take place after a waiver of service of the order in addition to service of the order.

CRIMES AND VIOLATIONS

SB 1574

Public Safety Omnibus Bill

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

SB 1574 INCLUDES THE FOLLOWING KEY PROVISIONS:

Abuse of a Corpse in the First Degree that Involves Sexual Activity

- Designates abuse of a corpse in the first degree that involves sexual activity as a sex crime.
- Becomes operative on January 1, 2025.

Humane Special Agents

- Clarifies that humane special agents commissioned under ORS 181.345 are “law enforcement officials” for the purpose of receiving driver’s license and identification card photos from the Oregon Department of Transportation (ODOT).
- Adds humane special agents to those who may request non-disclosure of personal information from ODOT.
- Permits humane investigative agencies to request a fingerprint-based criminal records check for people who are employed or applying for employment by the agency or who provide services or seek to provide services to the agency as a contractor, vendor, or volunteer.
- Becomes operative on January 1, 2025.

Commission on Statewide Law Enforcement Standards of Conduct and Discipline (the Commission)

Definitions

- Modifies references for definitions of “law enforcement agency” and “law enforcement officer” as they relate to the Commission for purposes of maintaining consistency.
- Becomes operative on January 1, 2025.

State Board of Parole and Post Prison Supervision (Parole Board) and Psychiatric Security Review Board (PSRB) Publishing Exemption

- Clarifies that hearings of the Parole Board and hearings of the PSRB are exempt from the requirement that a meeting be published online.
- Applies to hearings conducted before, on or after the effective date of the Act.
- Effective upon passage.

Hit and Run

- Expands the scope of the crime of hit and run involving property to:
 - Any highway or premises open to the public, or
 - Any premises adjacent to a highway or premises open to the public.

Expands the crime of hit and run of an injured person to any location.

- Clarifies the mental state in the statute to mean when the driver “has reason to believe”.
- Replaces the word “accident” with “collision”.
- Becomes operative on January 1, 2025.

CRIMES AND VIOLATIONS

SB 1574

Public Safety Omnibus Bill

SB 1574 PROVISIONS CONTINUED, PT. 2...

Driving While Suspended

- Allows data prepared by the Oregon Department of Transportation that details the driver's record to be admitted into evidence for prosecutions of driving while suspended or revoked offenses.
- Becomes operative on January 1, 2025.

Interest on Lawyer Trust Accounts (IOLTA) for the Oregon Public Defense Commission (OPDC)

- Establishes the Oregon Public Defense Commission (OPDC) Lawyer Trust Account in the State Treasury, separate and distinct from the General Fund.
- Clarifies that OPDC is the proper entity to create any subaccounts.
- Effective Upon Passage

JUVENILE/CHILD

HB 4086

Child Abuse Investigations & Children Exhibiting Problematic Sexual Behavior

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

HB 4086 INCLUDES THE FOLLOWING KEY PROVISIONS:

Study on Child Abuse Investigations

- Directs ODHS to commission a study through a private facilitator on the scope of child abuse investigations.
- Prescribes the scope of the study and recommendations to include:
 - Identification of the scope of mandatory child abuse investigations conducted by ODHS;
 - Gaps or duplication of work in the state's response to child abuse;
 - Determination of national best practices; and
 - Recommendations for jurisdiction of child abuse investigations;
 - Amendments to child abuse definitions;
 - Other recommended national best practices, and interdisciplinary oversight of implementation of such changes.
- Requires ODHS to appoint an advisory committee to guide the study, advising the facilitator and specifying committee membership.
- Requires facilitator to submit a report to interim legislative committees by September 15, 2024, and present to committees by September 30, 2024.
- Sunsets on January 2, 2026.

Study on Children Exhibiting Problematic Sexual Behavior

- Directs ODHS to commission a study through a private facilitator of Oregon's response to children exhibiting problematic sexual behavior.
- Prescribes the scope of the study and recommendations to include:
 - Identification of the services and resources available to children, and families of children, who exhibit problematic sexual behavior, with an emphasis on those available to children under age 12;
 - Identification of gaps in the response and services available to such children;
 - Determination of national best practices;
 - Analysis of solutions to identify and provide support, treatment, and resources to such children and their families;
 - Methods to ensure children are not identified as exhibiting problematic sexual behavior based on sexual orientation, gender identity, disability, or consensual sexual activity; and
 - Strategies to prevent and minimize out-of-home placement or incarceration of such children.
- Requires ODHS to appoint an advisory committee to guide the study, advising the facilitator and specifying committee membership.
- Requires facilitator to submit a report to interim legislative committees by September 15, 2024, and present to committees by September 30, 2024.
- Sunsets on January 2, 2026.

LABOR MANAGEMENT

HB 4115

Definition of Supervisory Employee for Purposes of Collective Bargaining

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

Background: As originally written, HB 4115 would have changed the definition of “supervisory employee” to mean only those employees that have the authority to hire, discharge or impose economic discipline on other employees. We have opposed numerous similar bills over the past two decades arguing that the change in definition could result in drawing large segments of management team members into the rank-and-file union and creating untenable conflicts of interest. To avoid this outcome, OACP, OSSA & LOC participated in a work group that negotiated compromise language that we agreed to accept.

HB 4115 INCLUDES THE FOLLOWING KEY PROVISIONS:

- The measure makes a guard at a correctional institution or mental hospital or a police officer eligible to participate in a labor organization by excluding them from the definition of “supervisory employee if they:
 - Serve in a rank equivalent to or below the rank of sergeant;
 - Prohibited from striking by ORS 243.736; and
 - Assign, transfer or direct the work of other employees but does not have the authority to hire, discharge or impose economic discipline on those employees.
- The measure makes an emergency communications worker eligible to participate in a labor organization by excluding them from the definition of “supervisory employee if they are:
 - Prohibited from striking by ORS 243.736; and
 - Assign, transfer or direct the work of other employees but does not have the authority to hire, discharge or impose economic discipline on those employees;
 - Clarifies that an employee of the Criminal Justice Division of the Department of Justice who manages police officers of the division is considered a “supervisory employee” and is not eligible to participate in a labor organization.
- Provides that employees with a rank of Lieutenant or higher continue to be “supervisory employees” if they are a guard at a correctional institution or mental hospital or a police officer and are not eligible to participate in a labor organization unless they are already a part of a labor organization prior to the effective date of the measure.
- Requires sergeants at a correctional institution or mental hospital or a police officer to be in a separate bargaining unit with a separate bargaining agreement from rank-and-file subordinate employees. This requirement is prospective and does not apply to bargaining units in place prior to the effective date of this 2024 act.

MARIJUANA/HEMP

HB 4121

Inter-Agency Collaboration for Inspections and Enforcement of Industrial Hemp Operations

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

HB 4121 INCLUDES THE FOLLOWING KEY PROVISIONS:

Enforcement

- Directs the OLCC to create and maintain a map of licensed marijuana and industrial hemp operation sites.
- Directs the OLCC to develop a methodology to distinguish between marijuana and industrial hemp.
- Allows the Oregon Department of Agriculture (ODA) to order an industrial hemp licensee to destroy plants presumptively considered to be marijuana under the methodology.
- Permits the ODA to enter into interagency agreements for carrying out OLCC inspections of industrial hemp crops.
- Allows law enforcement and other authorized personnel to accompany the ODA on industrial hemp operation inspections.
- Authorizes the Governor to deploy National Guard assistance to support ODA and law enforcement inspections and enforcement of industrial hemp laws.

Industrial Hemp Product Registration

- Directs the OLCC, in consultation with the ODA to establish a registration system for industrial hemp products that contain cannabinoids intended for human or animal consumption.
- Limits registration fees to the cost of administering and enforcing the measure and designates the Marijuana Control and Regulation Fund as the repository of registration fees.
- Specifies minimum labeling requirements, including manufacturer information, ingredients, service size and potency, applicable health and safety warnings, and age restrictions.
- Prohibits the sale, transfer, or delivery of a product that is unregistered, does not meet labeling requirements, or has packaging that contains untruthful or misleading statements, features that are attractive to minors, or which fail to meet other specified safety requirements or minimum standards.
- Allows the OLCC to enforce registration, labeling and packaging requirements by issuing an order, seizing noncompliant products, or imposing a civil penalty not to exceed \$10,000 per violation, for deposit in the General Fund.
- Repeals the requirement that the ODA make rules for tracking and transfer of industrial hemp commodities and products intended for human consumption.
- Exempts products transported through Oregon en route to a final destination outside of the state.
- Exempts topical products, commercial animal feed, fiber and grain products that do not contain added cannabinoids, and industrial hemp products that do not contain cannabinoids.

MARIJUANA/HEMP

HB 4121:

Inter-Agency Collaboration for Inspections and Enforcement of Industrial Hemp Operations

HB 4121 PROVISIONS CONTINUED, PT. 2...

Marijuana License Caps and Moratorium

- Establishes marijuana license limits for applications received on or after Jan. 1, 2025, as follows:
 - For production licenses and retail licenses, one active license per 7,500 Oregon residents aged 21 or older.
 - For processor licenses and wholesale licenses, one active license per 12,500 Oregon residents aged 21 or older.
- Exempts applications for renewal, reissuance, or change in size of mature plant canopy.
- Exempts the sale or purchase of licenses issued before January 1, 2025.
- Extends the sunset for moratoria in counties that declare a state of emergency related to cannabis, from March 31, 2024, to December 31, 2024.

Minor Decoy Operations

- Directs the OLCC to establish uniform standards for minor decoy operations to investigate sales of adult use cannabis items to persons under age 21.
- Makes the standards applicable to OLCC investigations and directs the OLCC to encourage law enforcement to use the standards.
- Prohibits the OLCC from considering sales from noncompliant minor decoy operations when imposing a penalty.
- Prohibits noncompliance with standards to be grounds for challenging a complaint, citation, or conviction for violating the prohibition on sales to minors.
- Becomes operative on January 1, 2025

Temporary Permits

- Allows temporary permits for cannabis licensee and laboratory workers.
- Directs the OLCC to adopt rules for the provision of temporary permits upon receipt of an application for a permit.
- Renders temporary permits expired upon permit application approval or denial.
- Becomes operative on January 1, 2025

Additional Provisions

- Permits Oregon licensed hemp growers and handlers to transport or receive product that meets the applicable limits on tetrahydrocannabinol (THC) concentration without requiring it to have been inspected by the Oregon Department of Agriculture as a crop prior to harvest.
- Provides authority for OLCC to adopt rules for the purpose of implementing its duties under the measure.

OSP ISSUES

HB 4003

OSP Study on Medical Examiner Shortages in Oregon

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

HB 4003 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Requires the Oregon Department of State Police (OSP) to study the causes and ways to address the shortage of medical examiners in Oregon.
- Specifies elements to be included in the study, including:
 - Strategies for funding,
 - Expanding educational opportunities, and
 - Expanding the use of the Conrad 30 waiver program for J-1 foreign medical graduates.
- Requires OSP to provide the results of the study to the Legislative Assembly by October 1, 2024.

OSP ISSUES

HB 4122

Rap Back Fingerprint Retention Program

Effective Date: June 6, 2024

2024 Oregon Laws Cite: Pending

HB 4122 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Directs the Department of State Police (OSP) to establish the Rap Back program and permits OSP to retain fingerprints taken for background checks under the program.
- Integrates the Rap Back program with the federal Rap Back system maintained by the Federal Bureau of Investigation (FBI).
- Requires prospective participating agencies to submit an implementation plan by December 31, 2024, to an appropriate committee or interim committee of the Legislative Assembly related to judiciary prior to participation.
- Lists requirements of the plan, including:
 - How the agency will ensure accessibility to the program;
 - Timelines for enrollment;
 - Plans for notification and education about the program; and
 - Projected costs.
- Requires participating agencies to notify individuals subject to criminal records checks that:
 - Employment or licensing with the agency requires enrollment in the Rap Back program;
 - Enrollment in the Rap Back program allows OSP to provide criminal history information to the agency; and
 - ORS 181A.230 allows an individual to challenge the accuracy of the information.
- Permits OSP to submit retained fingerprints to the FBI's Rap Back system and allows the FBI to retain those fingerprints in the system to be searched against future submissions, including latent fingerprint searches.
- Requires OSP to notify the authorized agency that enrolled an individual of any new criminal history events for the individual that OSP has received from the FBI.
- Requires the authorized agency that enrolled an individual to notify OSP when the individual is no longer employed or licensed by the agency.
- Requires OSP to destroy any fingerprints of the individual OSP has retained upon receipt of such a notice and requires OSP to notify the FBI and request that the FBI do the same.

PERS ISSUES

HB 4045

Adjustments to Public Safety Classifications under PERS

Effective Date: June 6, 2024

2024 Oregon Laws Cite: Pending

HB 4045 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Adds district attorneys, forensic scientists, and evidence technicians employed by the Department of State Police to the definition of “police officer” under the Public Employee Retirement System (PERS).
- Defines "hazardous position" as a position that does not meet the definition of a qualified public safety employee under section 72(t)(10)(B) of the Internal Revenue Code, but is a position that works with or manages emergency or traumatic events in the regular course of work or carries a high risk of physical harm.
 - Limits the hazardous position definition to emergency telecommunicators and employees of the Oregon State Hospital who have direct contact with patients.
 - Increases the amount of pension benefits for public employees in hazardous positions from 1.5 to 1.8 percent of their final average salary multiplied by the number of years of retirement credit attributable to service in a hazardous position.
- Lowers the normal retirement age from 60 to 55 years for Police and Fire Oregon Public Service Retirement Plan (OPSRP) members who retire from service and whose last 60 months of retirement credit preceding is classified as retirement credit for service as a police officer or firefighter.
- Establishes that the normal retirement age of members who qualify in a hazardous position and whose last 60 months of retirement credit preceding eligibility is classified as retirement credit for service in a hazardous position, is the earlier of 60 years of age or 58 years of age if the member has 25 or more years of retirement credit.
 - Determines that a member who establishes retirement credit in a hazardous position retains that eligibility, even if they perform service in a different position.
 - Establishes that a period of leave from a hazardous position that is part of a member's last 60 months of retirement credit is counted for retirement credit.
 - Determines that a retirement credit for a month in which a member performs service in both a hazardous position and in another position is classified as retirement credit in a hazardous position.
 - Determines that a member is not required to restart the last 60 months of retirement credit when the member is on unpaid leave and is receiving insurance payments for short term or long-term disability when the retirement credit is not available under ORS 238A.155 or when the member is concurrently employed and performing service in a hazardous position.
 - Requires the PERS Board to establish the liability of participating public employers for members in hazardous positions and requires participating public employers who employ such members to make contributions based on that liability.
- Directs the PERS Board to study the liability of participating public employers for members in the new hazardous position classification and report to interim committees of the Legislative Assembly no later than September 15, 2028. Becomes effective July 1, 2027; will be repealed on January 2, 2030.
- Requires the PERS Board to submit biennial reports updating the Legislative Assembly on the progress of implementing the hazardous position category; Repealed on January 2, 2030.

PERS ISSUES

HB 4045

Adjustments to Public Safety Classifications under PERS

HB 4045 PROVISIONS CONTINUED...

- Entitles a person employed as a district attorney, forensic scientist, or evidence technician on or after the effective date of this Act to service under PERS as a police officer only for service performed as a district attorney, forensic scientist, or evidence technician on or after the effective date.
 - Establishes that the earlier normal retirement age for police and fire members of PERS applies to members of the OPSRP whose effective date of retirement is on or after the effective date of the bill.
- Establishes hazardous position provisions to become operative January 1, 2030.
 - Allows eligibility beginning in 2019 to members who qualify in the hazardous position category if they retire in a hazardous position and have accrued their last 60 months of retirement credit in one or more positions that qualify, or would qualify, in a hazardous position.
 - Disallows service before January 1, 2019, to establish retirement credit in this new classification.
 - Allows the PERS Board to take any action before January 1, 2030, to enable the Board to exercise the new provisions on and after this operative date.

SEX OFFENSES/PROSTITUTION /HUMAN TRAFFICKING

HB 4160

Sexual Conduct Involving a Student

Effective Date: July 1, 2024

2024 Oregon Laws Cite: Pending

HB 4160 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Extends the time frame a person is considered a student for laws related to reports, investigations, and disclosures concerning sexual conduct involving a student from 90 days after the student leaves school or graduates high school to one calendar year after the student leaves school or graduates high school.

TRAFFIC/MOTOR VEHICLE

HB 4147

School Bus Stop Arm Camera Enforcement

Effective Date: January 1, 2025

2024 Oregon Laws Cite: Pending

HB 4147 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Applies to education providers including school districts, education service districts, and early learning programs.
- Defines stop arm cameras as school bus video devices that record drivers and vehicles that violate school bus safety light laws.
- Forbids stop-arm cameras from photographing school bus drivers or students while the driver or students are on the school bus.
- Permits education providers to contract for the installation, operation, and maintenance of stop arm cameras.
- Requires education providers who do so to inform school bus drivers and post warning signs on the bus informing the public of the stop arm cameras.
- Directs education providers to inform maintenance workers about the stop arm cameras, as well as to inform drivers and others who interact with the school bus.
- Prohibits education providers from requiring or expecting employees to perform job duties relating to stop arm cameras, except as provided by agreement; and from requiring, as a condition of employment, that an employee participate in issuing citations to drivers, unless required by law enforcement or a court proceeding.
- Allows law enforcement contracting with the education provider to cite drivers who violate the law, providing that police:
 - Review evidence and sign the citation,
 - Mail the citation to the vehicle owner within 10 business days of the alleged violation,
 - Give 30 days from the citation mailing for the registered owner to respond,
 - Rebuttably presume that the registered owner was the driver when police issued the citation, and
 - Allow drivers to respond to citations by submitting a certificate of innocence or nonliability or another lawful response.
- Directs a jurisdiction that receives a driver's certificate of innocence to dismiss the citation without a court appearance by the registered owner, and permits citations to be reissued only once, and only if the jurisdiction verifies that the registered owner appears to have been the driver at the time of the citation.
- Specifies process for businesses or public entities, if cited as violators, to respond with a certificate of nonliability, and for citations then to be delivered to employee, renter, or lessee drivers.
- Provides that, if the registered owner fails to respond to the citation, a court may enter a default judgment for failure to appear. States that penalties for those cited under this measure would be the same as violating ORS 811.155 by other means.
- Directs the State Board of Education (SBE) to adopt and enforce standards for stop arm camera warning signs.
- Allows law enforcement to use video footage from a school bus stop-arm camera for investigations involving violations and crimes, but not for any other purpose.
- Amends ORS 468A.796, giving school buses operated in Oregon until 2026, instead of until 2025, to meet new standards for diesel engine technology.

VICTIMS OF CRIME

HB 4140

Department of Justice Budget Request Requirement to include funding for Children's Advocacy Centers, the Survivor Housing Funds Grant program, its Successor Program, and the Oregon Domestic and Sexual Violence Services Fund.

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

HB 4140 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Directs the Department of Justice (DOJ) to include discrete amounts in its budget request for the next biennium that are necessary for funding the projected costs of state support for:
 - Children's advocacy centers,
 - Survivor Housing Funds Grant program, as well as its successor program, and the
 - Oregon Domestic and Sexual Violence Services Fund.
- Allows the amounts to include a maximum of 10 percent for DOJ's administrative costs.
- Directs children's advocacy centers to submit reports to the DOJ in even numbered years for projected costs of operation for the next biennium, along with estimates of funding from all other sources.

VULNERABLE PERSONS/HOMELESS/CHILD & ELDER ABUSE

HB 4146

Petitions on Family Abuse Prevention Act Orders, Elderly Persons and Persons with Disabilities Abuse Prevention Act Orders, and Sexual Abuse Restraining Orders.

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

HB 4146 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Provides that a petition for a Family Abuse Prevention Act order, Elderly Persons and Persons with Disabilities Abuse Prevention Act order, or a sexual abuse restraining order may be filed in the county where the abuse occurred.
- Removes the word “identifiable” from the crime of unlawful dissemination of an intimate image.

VULNERABLE PERSONS/HOMELESS/CHILD ABUSE/ELDER ABUSE

SB 1579

Children's Advocacy Center One-Time Grant Fund

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

SB 1579 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Defines “children’s advocacy center” as a facility to which a child from the community may be referred to receive a thorough child abuse assessment and which facilitates a coordinated, comprehensive, and multidisciplinary response to cases of child abuse.
- Defines “regional children’s advocacy center” as a facility operated by a children’s advocacy center selected by the Child Abuse Multidisciplinary Intervention Program to provide training and complex case assistance.

Children’s Advocacy Center One-Time Grant Program:

- Directs the Department of Justice to develop and administer a one-time grant program to expand access to services and supports provided by children’s advocacy centers and regional children’s advocacy centers and to increase the number of children served by said centers.
- Directs the Department of Justice to govern the program and specifies program requirements.
- Requires the Department of Justice to distribute all grants by June 30, 2025
- Establishes the Children’s Advocacy Center One-Time Grant Fund and permits the Department of Justice to use the fund to cover administrative costs associated with administering the grant program.
- Appropriates \$7,000,000 from the General Fund for deposit in the Children’s Advocacy Center One-Time Grant Fund.
- Sunsets program on January 2, 2026.

VULNERABLE PERSONS/HOMELESS/CHILD ABUSE/ELDER ABUSE

SB 1587

Civil Liability Immunities for Children's Advocacy Centers

Effective Date: Upon Passage

2024 Oregon Laws Cite: Pending

SB 1587 INCLUDES THE FOLLOWING KEY PROVISIONS:

- Provides that children's advocacy centers and their employees, or designated agents who are participating in good faith and have reasonable grounds for their participation in a child abuse assessment, shall have immunity from certain civil liabilities regarding their participation in the assessment or participation in any judicial proceeding from the assessment.
- Maintains liability for damages resulting from an employee's or designated agent's gross negligence, reckless, wanton or intentional misconduct, abuse or neglect of the child who is the subject of the abuse assessment, medical malpractice, or discrimination on the basis of a protected class.
- Requires the children's advocacy center to be in good standing, or actively working towards accreditation, by a national organization that provides accreditation based on recognized standards.
- Defines designated agents.
- Declares that children's advocacy centers rely upon state funding and provide statutorily-mandated services.
- Sunsets program on January 2, 2026.

INTERIM CALENDAR

March 12

2024 Candidate Filing Deadline

May 21

Primary Election

May 29-31

Legislative Days

Sept. 23-25

Legislative Days

Sept. 27

Legislative Request Deadline

Nov. 5

General Election

Dec. 10-12

Legislative Days

Dec. 13

Bill Filing Deadline