

# House Bill 2896

Sponsored by Representative BARKER, Senator BATES (at the request of Marie Armstrong in the name of Chance Friedhoff, Darke Hull, Crime Victims United)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires medical professionals to conduct evidence gathering procedures and disclose results to law enforcement officer upon request.

## A BILL FOR AN ACT

1  
2 Relating to criminal investigations; amending ORS 133.621.

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

4 **SECTION 1.** ORS 133.621 is amended to read:

5 133.621. (1) A duly licensed physician, or a person acting under the direction or control of a  
6 duly licensed physician, [*may*] **shall** withdraw bodily substances, pierce human tissue, perform med-  
7 ical tests and procedures and otherwise use medical procedures to gather evidence in a criminal  
8 investigation **if the duly licensed physician or person acting under the direction or control of**  
9 **the duly licensed physician is requested to do so by a law enforcement officer, as defined in**  
10 **ORS 133.726, acting in the ordinary course of official duties.**

11 (2) A duly licensed physician, or a person acting under the direction or control of a duly li-  
12 censed physician, shall not be held civilly liable for gathering potential evidence in a criminal in-  
13 vestigation in a medically acceptable manner at the request of a peace officer. The civil immunity  
14 granted in this section is not conditioned upon the existence of probable cause, the existence of a  
15 search warrant or the existence of a court order. [*Nothing in this section shall be interpreted as re-*  
16 *quiring a duly licensed physician to act at the request of a peace officer.*]  
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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.