

Enrolled Senate Bill 61

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CHAPTER

AN ACT

Relating to Oregon Volunteers Commission for Voluntary Action and Service.

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

SECTION 1. As used in sections 2 and 3 of this 2007 Act:

- (1) **“Child” means a person under 18 years of age.**
- (2) **“Organizations and entities” means religious, charitable, scientific, educational, athletic or service organizations or local government entities that use volunteers.**
- (3) **“Services” means the provision of care, treatment, education, training, instruction, supervision, transportation, recreation or support.**
- (4) **“Unsupervised access” means a person is in the physical presence of a child or vulnerable person and:**
 - (a) **If in an enclosure, that no additional person aged 18 years or older is in the same enclosure as the person and the child or vulnerable person; or**
 - (b) **If outdoors, that no additional person aged 18 years or older:**
 - (A) **Is within 30 yards of the person and the child or vulnerable person; or**
 - (B) **Has visual contact with the person and with the child or vulnerable person.**
- (5) **“Vulnerable person” means a person who:**
 - (a) **Is not a child;**
 - (b) **Is in need of services because of mental or other disability, age or illness; and**
 - (c) **Is unable to take care of themselves or protect themselves against exploitation or significant harm.**

SECTION 2. The Oregon Volunteers Commission for Voluntary Action and Service shall adopt a set of recommended best practices for use by organizations and entities in screening volunteers. The commission shall give special attention to developing recommended best practices for screening volunteers who have unsupervised access to a child or vulnerable person. The commission shall:

- (1) **Develop practices that include, but need not be limited to, practices for screening and supervising volunteers; and**
- (2) **Develop a recommendation for conducting a criminal records check before a volunteer assumes duties or provides services that may give the volunteer unsupervised access to a child or vulnerable person on a regular basis.**

SECTION 3. (1) The Oregon Volunteers Commission for Voluntary Action and Service shall establish and maintain an outreach program that makes available to organizations and entities information about:

- (a) The best methods for screening and supervising volunteers;**
- (b) How to obtain a criminal records check of a volunteer;**
- (c) Confidentiality issues relating to criminal records check reports; and**
- (d) Keeping records of criminal records checks conducted by the organization or entity.**

(2) The outreach program information made available under this section, including any recommendations contained in the program information, does not create a basis for imposing liability on persons that do not adhere to the program information.

SECTION 4. The Oregon Volunteers Commission for Voluntary Action and Service shall begin making outreach program information described in section 3 of this 2007 Act available to organizations and entities no later than one year after the effective date of this 2007 Act.

Passed by Senate February 12, 2007

Received by Governor:

Repassed by Senate April 12, 2007

.....M.,....., 2007

Approved:

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Secretary of Senate

.....M.,....., 2007

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President of Senate

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Governor

Passed by House April 4, 2007

Filed in Office of Secretary of State:

.....M.,....., 2007

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Speaker of House

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Secretary of State