

Enrolled
House Bill 2224

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for State Department of Fish and Wildlife)

CHAPTER

AN ACT

Relating to criminal records checks; amending ORS 496.121.

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

SECTION 1. ORS 496.121 is amended to read:

496.121. For the purpose of requesting a state or nationwide criminal records check under ORS 181.534, the State Department of Fish and Wildlife may require the fingerprints of a person who:

- (1)(a) Is employed or applying for employment by the department; or
- (b) Provides services or seeks to provide services to the department as a contractor, **vendor** or volunteer; and
- (2) Is, or will be, working or providing services in a position:
 - (a) In which the person has direct access to persons under 18 years of age, elderly persons or persons with disabilities;
 - (b) That has personnel or human resources functions as one of the position’s primary responsibilities;
 - (c) In which the person is providing information technology services and has control over, or access to, information technology systems that would allow the person to harm the information technology systems or the information contained in the systems; [or]
 - (d) That involves the use, possession, issuance, transport, purchase, sale or forfeiture of firearms or munitions, access to firearms or munitions or the training of others in the use or handling of firearms;
 - (e) **In which the person resides on property managed by the department;**
 - (f) **In which the person has access to information, the disclosure of which is prohibited by state or federal laws, rules or regulations or information that is defined as confidential under state or federal laws, rules or regulations;**
 - (g) **That has payroll functions or in which the person has responsibility for receiving, receipting or depositing money or negotiable instruments, for billing, collections or other financial transactions or for purchasing or selling property or has access to property held in trust or to private property in the temporary custody of the state;**
 - (h) **That has mailroom duties as a primary duty or job function;**
 - (i) **In which the person has responsibility for auditing the department;**
 - (j) **In which the person has access to Social Security numbers, dates of birth or criminal background information of employees or members of the public; or**
 - (k) **In which the person has access to tax or financial information about individuals or business entities.**

Passed by House February 24, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate May 14, 2009

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President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State