

A-Engrossed
Senate Bill 658

Ordered by the Senate May 4
Including Senate Amendments dated May 4

Sponsored by COMMITTEE ON JUDICIARY

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.

Grants [*special campus security officers*] **university police** of Oregon Health and Science University powers and authority of peace officers **and police officers**.

Requires [*officers*] **university police** to be trained [*but not to be authorized to carry firearms*].
Specifies that university police are not authorized to carry firearms.

Declares university to be law enforcement unit for purposes related to provision of specified law enforcement services.

A BILL FOR AN ACT

1
2 Relating to special campus security officers; amending ORS 353.050.

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

4 **SECTION 1.** ORS 353.050 is amended to read:

5 353.050. Except as otherwise provided in this chapter, the Oregon Health and Science University
6 Board of Directors, or university officials acting under the authority of the board, shall exercise all
7 the powers of the Oregon Health and Science University and shall govern the university. In carrying
8 out its powers, rights and privileges, the university shall be a governmental entity performing gov-
9 ernmental functions and exercising governmental powers. The university or the board may either
10 within or outside the state:

11 (1) Determine or approve policies for the organization, administration and development of the
12 university.

13 (2) Appoint and employ any instructional, administrative, professional, trade, occupational and
14 other personnel as are necessary or appropriate to carry out the missions of the university, and
15 prescribe their compensation and terms of office or employment.

16 (3) Make any and all contracts and agreements, enter into any partnership, joint venture or
17 other business arrangement, create and participate fully in the operation of any business structure,
18 including but not limited to the development of business structures for health care delivery systems
19 and networks with any public or private government, nonprofit or for-profit person or entity that in
20 the judgment of the university or the board is necessary or appropriate to carry out the university's
21 missions and goals.

22 (4) Acquire, purchase, receive, hold, control, convey, sell, manage, operate, lease, license, lend,
23 invest, improve, develop, use, dispose of and hold title to real and personal property of any nature,
24 including intellectual property, in its own name.

25 (5) Sue in its own name and be sued, plead and be impleaded in all actions, suits or proceedings
26 in any forum brought by or against it by any and all private or state, local, federal or other public

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.

1 entities, agencies or persons.

2 (6) Encourage gifts and donations for the benefit of the university, and subject to the terms of
3 the gift, retain, invest and use such gifts as deemed appropriate by the university or the board.

4 (7) Acquire, receive, hold, keep, pledge, control, convey, manage, use, lend, expend and invest
5 all funds, appropriations, gifts, bequests, stock and revenue from any source to the university.

6 (8) Borrow money for the needs of the university, in such amounts and for such time and upon
7 such terms as may be determined by the university or the board.

8 (9) Erect, construct, improve, develop, repair, maintain, equip, furnish, lease, lend, convey, sell,
9 manage, operate, use, dispose of and hold title to buildings, structures and lands for the university.

10 (10) Purchase any and all insurance, operate a self-insurance program or otherwise arrange for
11 the equivalent of insurance coverage of any nature and the indemnity and defense of its officers,
12 agents and employees or other persons designated by the university to carry out or further the
13 missions of the university.

14 (11) Create, develop, supervise, control and adopt academic programs, including standards,
15 qualifications, policies or practices relating to admissions, curriculum, academic advancement,
16 grading policy, student conduct, credits and scholarships and the granting of academic degrees,
17 certificates and other forms of recognition.

18 (12) Authorize, create, eliminate, establish, operate, reorganize, reduce or expand any program,
19 school, institute, health care facility or other unit of operation.

20 (13) Establish, charge, collect and use charges for enrollment into the university, including
21 charges such as tuition for education and general services, incidental fees and such other charges
22 found by the university to be necessary to carry out its educational programs. Fees realized in ex-
23 cess of amounts allocated and exceeding required reserves shall be considered surplus incidental
24 fees and shall be allocated for programs under the control of the board and found to be advanta-
25 geous to the cultural or physical development of students of the university upon the recommendation
26 of the recognized student government of the university.

27 (14) Establish, charge, collect and use charges and fees for university services and the use of
28 university facilities.

29 (15) Impose charges, fines, fees and such other regulations considered convenient or necessary
30 to control and regulate traffic and parking of vehicles to the same extent allowed the State Board
31 of Higher Education. This authority includes the authority to enforce the regulations of the uni-
32 versity in a court to the extent allowed the State Board of Higher Education in enforcing the state
33 board's regulations as provided in ORS 352.360 (7).

34 *[(16) Commission as special campus security officers one or more individuals who will have prob-
35 able cause arrest authority and the accompanying immunities as set forth in ORS 133.310 and 133.315
36 when acting in the scope of their duties, provided that such individuals are trained and certified by the
37 Department of Public Safety Standards and Training, and provided further that such officers shall not
38 be authorized to carry firearms as police officers and shall not be considered police officers for pur-
39 poses of ORS 181.610, 238.005, 243.005 or 243.736. The university shall be considered a criminal justice
40 agency for purposes of ORS 181.715 and 181.720.]*

41 **(16) Commission special campus security officers to be known as university police. Uni-**
42 **versity police commissioned under this subsection have all the powers and authority given**
43 **by statute to peace officers and police officers of this state. University police shall complete**
44 **training necessary for certification as police officers at an academy operated or authorized**
45 **by the Department of Public Safety Standards and Training at the expense of the Oregon**

1 **Health and Science University Board of Directors. University police are not authorized to**
2 **carry firearms as police officers and are not police officers for purposes of ORS 238.005,**
3 **243.005 or 243.736. The university is a criminal justice agency for purposes of ORS 181.715 and**
4 **181.720 and a law enforcement unit within the meaning of ORS 181.610 (12).**

5 (17) Enforce and recover for payment to the university any fines that are authorized by this
6 chapter.

7 (18) Adopt, amend or repeal bylaws, administrative rules, regulations and orders applicable to
8 the matters that are the subject of this chapter.

9 (19) Contract with any state agency for the performance of such duties, functions and powers
10 as is appropriate. A state agency shall not charge the university for such services an amount that
11 is greater than the actual cost of the services.

12 (20) Purchase, receive, subscribe for or otherwise acquire, own, hold, vote, use, sell, mortgage,
13 lend, pledge, invest in or otherwise dispose of and deal in or with the shares, stock or other equity
14 or interests in or obligations of any other entity. Separate funds may be established for such in-
15 vestments. The State of Oregon shall have no proprietary or other interest in such investments or
16 such funds.

17 (21) Make available, by lease or otherwise, or control access to any health care facilities or
18 services or other of its properties and assets to such persons, firms, partnerships, associations or
19 corporations and on such terms as considered appropriate, charge and collect rent or other fees or
20 charges therefor and terminate or deny any such access or any such lease or other agreement for
21 such reasons as considered appropriate and as may be consistent with its obligations under any such
22 lease or other agreement.

23 (22) Contract for the operation of any department, section, equipment or holdings of the uni-
24 versity and enter into any agreements with any person, firm or corporation for the management by
25 said person, firm or corporation on behalf of the university of any of its properties or for the more
26 efficient or economical performance of clerical, accounting, administrative and other functions re-
27 lating to its health care facilities.

28 (23) Select and appoint faculty as medical and dental staff members and others licensed to
29 practice the healing arts, delineate and define the privileges granted each such individual, adopt and
30 direct a plan for faculty clinical income and set the terms and conditions of that plan (including
31 such modifications to any such existing plan as considered necessary or appropriate upon expiration
32 of the term of such plan), and determine the extent to which and the terms upon which each such
33 individual may provide teaching, research, consulting or other services at the university or any
34 other health care facility.

35 (24) Enter into affiliation, cooperation, territorial, management or other similar agreements with
36 other public or private universities or health care providers for the sharing, division, allocation or
37 furnishing of services on an exclusive or a nonexclusive basis, referral of patients, management of
38 facilities, formation of health care delivery systems and other similar activities.

39 (25) Perform any other acts that in the judgment of the board or university are requisite, nec-
40 essary or appropriate in accomplishing the purposes described in or carrying out the powers granted
41 by this chapter.

42 (26) Exercise these powers, notwithstanding that as a consequence of the exercise of such pow-
43 ers, the university engages in activities that might otherwise be deemed anticompetitive within the
44 contemplation of state or federal antitrust laws.