

# Enrolled Senate Bill 971

Sponsored by Senator VERGER; Senators MORRISETTE, PROZANSKI, TELFER, WALKER,  
WHITSETT

CHAPTER .....

AN ACT

Relating to training costs of employees of governmental agencies.

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

**SECTION 1.** (1) **As used in this section:**

(a) **“Original employing governmental agency”** means a governmental agency that first employs an employee in a position that requires training.

(b) **“Parole and probation officer”** has the meaning given that term in ORS 181.610.

(c) **“Police officer”** has the meaning given that term in ORS 181.610.

(d) **“Training costs”** means training expenses paid for by an employing governmental agency that include the cost of salary and benefits paid to an employee during training, the cost of salary and benefits paid to another employee to cover the workload of an employee in training and the cost of initial training courses required for employment.

(2) Subject to an employment agreement between an original employing governmental agency and an employee or to an applicable collective bargaining agreement, when an employee of a governmental agency who is employed in a position that requires training voluntarily leaves employment with that original employing governmental agency and is subsequently employed by a different governmental agency in a position that requires the same training as required for the position with the original employing governmental agency, the subsequent employing governmental agency shall reimburse the original employing governmental agency for training costs incurred by the original employing governmental agency in accordance with the reimbursement schedule adopted under subsection (3) of this section.

(3) If an employing governmental agency requires employees to be trained, the agency shall adopt a policy providing for a pro rata reimbursement schedule for the reimbursement of training costs by a subsequent employing governmental agency to the original employing governmental agency as follows:

(a) If the training costs are for training provided to an employee who is employed as a state police officer, a police officer or a deputy sheriff, the required reimbursement shall be:

(A) 100 percent of training costs if the employee is employed by the subsequent employing governmental agency within 12 months from the date the employee completes training required by the original employing governmental agency.

(B) 66 percent of training costs if the employee is employed by the subsequent employing governmental agency more than 12 months but less than 24 months from the date the employee completes training required by the original employing governmental agency.

(C) 33 percent of training costs if the employee is employed by the subsequent employing governmental agency more than 24 months but less than 36 months from the date the employee completes training required by the original employing governmental agency.

(D) Waived if the employee is employed by the subsequent employing governmental agency more than 36 months from the date the employee completes training required by the original employing governmental agency.

(b) If the training costs are for training provided to an employee who is employed as a state or local corrections officer or as a parole and probation officer, the required reimbursement shall be:

(A) 100 percent of training costs if the employee is employed by the subsequent employing governmental agency within 10 months from the date the employee completes training required by the original employing governmental agency.

(B) 66 percent of training costs if the employee is employed by the subsequent employing governmental agency more than 10 months but less than 20 months from the date the employee completes training required by the original employing governmental agency.

(C) 33 percent of training costs if the employee is employed by the subsequent employing governmental agency more than 20 months but less than 30 months from the date the employee completes training required by the original employing governmental agency.

(D) Waived if the employee is employed by the subsequent employing governmental agency more than 30 months from the date the employee completes training required by the original employing governmental agency.

(4) Notwithstanding subsection (2) of this section, an original employing governmental agency may waive the reimbursement of training costs for an employee who voluntarily leaves employment with the original employing governmental agency and is subsequently employed by another governmental agency.

(5) When making employment decisions, a governmental agency may not take into consideration the possibility that the reimbursement of training costs specified in subsection (2) of this section will be required if a particular applicant is employed.

(6) A governmental agency that requires employees to complete training shall develop and implement policies that provide incentives to promote the retention of such employees.

**SECTION 2.** Section 1 of this 2009 Act applies to training costs for persons employed as state police officers, police officers, deputy sheriffs, state or local corrections officers or parole and probation officers who are required to complete training and who begin training after January 1, 2010.

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**Passed by Senate May 7, 2009**

**Repassed by Senate June 23, 2009**

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Secretary of Senate

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President of Senate

**Passed by House June 11, 2009**

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Speaker of House

**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