76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session   **MEASURE:** HB 2461 A
STAFF MEASURE SUMMARY   **CARRIER:** Rep. Gelser
House Committee on Judiciary

REVENUE: No revenue impact
FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	10 - 0 - 0
Yeas:	Garrett, Hicks, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger
Nays:	0
Exc.:	0
Prepared By:	Aaron Knott, Counsel
Meeting Dates:	2/17, 4/20

WHAT THE MEASURE DOES: Removes the prohibition on using public funds to pay for direct care provided by a person with a prior conviction for theft in the first degree. Declares emergency, effective on passage.

ISSUES DISCUSSED:
- Small number of people who would be impacted by this change
- Recovered addicts wishing to "give back" to the recovery and treatment communities
- Other vetting mechanisms in hiring which will allow employers the discretion to choose whether or not to hire an individual with a conviction of theft in the first degree.

EFFECT OF COMMITTEE AMENDMENT: Eliminates "vulnerable victim" language.

BACKGROUND: Public funds may not be used to support the employment of a person (convicted of certain crimes?) who works with recipients of home health, in-home care or support services or with the residents of residential facilities or adult foster homes. The list of disqualifying offenses at ORS 443.004 includes Chapter 163 crimes against persons, theft in the first degree, theft of services, burglary, arson, computer crime, robbery in the first and second degrees, criminal possession of a forged instrument in the first degree, criminal possession of a forgery device, identity theft, promoting prostitution, compelling prostitution, furnishing sexually explicit material to a child, luring a minor, all sex crimes listed in ORS 181.594, and delivery and manufacture of a controlled substance if committed within the last ten years. House Bill 2461 A removes theft in the first degree as a disqualifying offense under this section.