

**A-Engrossed**  
**House Bill 3140**

Ordered by the House April 6  
Including House Amendments dated April 6

Sponsored by Representative BARKER (at the request of Oregon Council of Police Associations)

**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.

Modifies exception to disciplinary action statutes for public safety officers under collective bargaining agreement.

Declares emergency, effective on passage.

**A BILL FOR AN ACT**

1  
2 Relating to disciplinary action against public safety officers; creating new provisions; amending ORS  
3 236.370; and declaring an emergency.

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

5 **SECTION 1.** ORS 236.370 is amended to read:

6 236.370. ORS 236.350 to 236.370 do not apply to disciplinary action taken against public safety  
7 officers who are:

8 (1) In an initial probationary period of employment that does not exceed 12 months or in a  
9 probationary period under a collective bargaining agreement which is in excess of 12 months;

10 *[(2) Under a collective bargaining agreement requiring just cause for disciplinary action;]*

11 *[(3)]* **(2)** Under a county civil service system adopted pursuant to ORS 241.002 to 241.009;

12 *[(4)]* **(3)** Under a county or municipal civil service system which provides public safety officers  
13 with disciplinary action protections at least equivalent to those provided under ORS 236.350 and  
14 236.360;

15 *[(5)]* **(4)** The chief executive officers of law enforcement units, as defined in ORS 181.610; *[or]*

16 *[(6)]* **(5)** Supervisory employees, as defined under ORS 243.650, where a collective bargaining  
17 agreement is in effect with their public employer[.]; **or**

18 **(6) Represented in a collective bargaining unit if the collective bargaining agreement or**  
19 **the established policies of the law enforcement unit that employs the public safety officers**  
20 **provide for procedures and safeguards of the sort provided for in ORS 236.350 to 236.370.**

21 *[(7) Represented in a collective bargaining unit if the collective bargaining agreement provides for*  
22 *procedures and safeguards of the sort provided for in ORS 236.350 to 236.370.]*

23 **SECTION 2.** The amendments to ORS 236.370 by section 1 of this 2011 Act apply to in-  
24 vestigations begun on or after the effective date of this 2011 Act.

25 **SECTION 3.** This 2011 Act being necessary for the immediate preservation of the public  
26 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect  
27 on its passage.

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**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.