

**Enrolled**  
**House Bill 3140**

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

CHAPTER .....

AN ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Passed by House April 14, 2011**

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Ramona Kenady Line, Chief Clerk of House

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Bruce Hanna, Speaker of House

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Arnie Roblan, Speaker of House

**Passed by Senate May 17, 2011**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2011

**Approved:**

.....M,....., 2011

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John Kitzhaber, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2011

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Kate Brown, Secretary of State