

House Bill 4001

Sponsored by Representative CLEM (Pre-session filed.)

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 **as introduced**.

Requires criminal records check for volunteers and employees who staff State Emergency Operations Center or emergency operating facility of city or county.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to emergency management; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2012 Act is added to and made a part of ORS chapter 401.**

5 **SECTION 2. (1) For the purpose of requesting a state or nationwide criminal records**
6 **check under ORS 181.534, the Office of Emergency Management shall require the fingerprints**
7 **of an individual who staffs, as a volunteer or employee, a State Emergency Operations Cen-**
8 **ter pursuant to ORS 401.092.**

9 **(2) The emergency management agency of a city or county shall cause the sheriff of the**
10 **county to conduct a criminal records check of volunteers and paid personnel who staff an**
11 **emergency operating facility, as described in ORS 401.305, from which elected or appointed**
12 **officials can direct emergency or disaster response activities. The criminal records check**
13 **under this subsection must include a check for a criminal record in the State of Oregon. In**
14 **addition, a national criminal records check is required under this subsection if:**

15 **(a) The person has resided in another state within five years before the date that the**
16 **criminal records check is performed;**

17 **(b) The person has disclosed the existence of a criminal conviction; or**

18 **(c) A criminal records check in the State of Oregon discloses the existence of a criminal**
19 **record in another jurisdiction.**

20 **(3) This section does not require a unique criminal records check for volunteers or paid**
21 **personnel serving in positions for which their public employers have already required a**
22 **criminal records check.**

23 **SECTION 3. This 2012 Act being necessary for the immediate preservation of the public**
24 **peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect**
25 **on its passage.**

26

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.