

HOUSE AMENDMENTS TO HOUSE BILL 4016

By COMMITTEE ON EDUCATION

February 14

- 1 On page 1 of the printed bill, line 2, delete “creating new provisions;”.
- 2 In line 3, delete “and 419B.005; and declaring an emergency” and insert “, 419B.005 and
3 419B.010”.
- 4 On page 2, line 27, after “institution” insert a period and delete the rest of the line and line 28.
- 5 On page 3, delete lines 16 through 28 and insert:
- 6 “(bb) Employee of a public or private organization providing child-related services or activities:
- 7 “(A) Including but not limited to youth groups or centers, scout groups or camps, summer or
8 day camps, survival camps or groups, centers or camps that are operated under the guidance,
9 supervision or auspices of religious, public or private educational systems or community service
10 organizations; and
- 11 “(B) Excluding community-based, nonprofit organizations whose primary purpose is to provide
12 confidential, direct services to victims of domestic violence, sexual assault, stalking or human traf-
13 ficking.
- 14 “(cc) A coach, assistant coach or trainer of an amateur, semiprofessional or professional athlete,
15 if compensated and if the athlete is a child.”.
- 16 On page 4, line 34, after “person” insert “, and an alternate in the event the designated person
17 is the suspected abuser,”.
- 18 Delete lines 37 through 45.
- 19 On page 5, delete lines 1 through 4.
- 20 In line 5, delete the boldfaced material and restore the bracketed material.
- 21 In line 9, restore “(6)” and delete “(8)”.
- 22 In line 12, delete the boldfaced material and restore the bracketed material.
- 23 In lines 15 through 20, delete the boldfaced material and restore the bracketed material.
- 24 In line 24, restore “(7)” and delete “(8)”.
- 25 On page 6, lines 33 through 39, delete the boldfaced material and restore the bracketed material.
- 26 In line 42, delete the boldfaced material and restore the bracketed material.
- 27 On page 7, line 5, delete the boldfaced material and restore the bracketed material.
- 28 In line 31, delete the boldfaced material and restore the bracketed material.
- 29 In line 42, delete the boldfaced material and restore the bracketed material.
- 30 On page 11, delete lines 44 and 45 and insert:
- 31 “**SECTION 11.** ORS 419B.010 is amended to read:
- 32 “419B.010. (1) Any public or private official having reasonable cause to believe that any child
33 with whom the official comes in contact has suffered abuse or that any person with whom the offi-
34 cial comes in contact has abused a child shall immediately report or cause a report to be made in
35 the manner required in ORS 419B.015. Nothing contained in ORS 40.225 to 40.295 or 419B.234 (6)

1 affects the duty to report imposed by this section, except that a psychiatrist, psychologist, member
2 of the clergy, attorney or guardian ad litem appointed under ORS 419B.231 is not required to report
3 such information communicated by a person if the communication is privileged under ORS 40.225 to
4 40.295 or 419B.234 (6). An attorney is not required to make a report under this section by reason
5 of information communicated to the attorney in the course of representing a client if disclosure of
6 the information would be detrimental to the client.

7 “(2) Notwithstanding subsection (1) of this section, a report need not be made under this section
8 if the public or private official acquires information relating to abuse by reason of a report made
9 under this section, or by reason of a proceeding arising out of a report made under this section, and
10 the public or private official reasonably believes that the information is already known by a law
11 enforcement agency or the Department of Human Services.

12 “(3) **The duty to report under this section is personal to the public or private official**
13 **alone, regardless of whether the official is employed by, a volunteer of or a representative**
14 **or agent for any type of entity or organization that employs persons or uses persons as**
15 **volunteers who are public or private officials in its operations.**

16 “(4) **The duty to report under this section exists regardless of whether the entity or or-**
17 **ganization that employs the public or private official or uses the official as a volunteer has**
18 **its own procedures or policies for reporting abuse internally within the entity or organiza-**
19 **tion.**

20 “[3] (5) A person who violates subsection (1) of this section commits a Class A violation.
21 Prosecution under this subsection shall be commenced at any time within 18 months after commis-
22 sion of the offense.”

23 On page 12, delete lines 1 through 3.
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