

House Bill 4091

Sponsored by Representative NATHANSON; Representatives BAILEY, DOHERTY, GELSER, HARKER, HOLVEY, HOYLE, WITT (Presession 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**.

Directs Oregon Department of Administrative Services to convene work group to make recommendations regarding criminal records checks on individuals performing activities that require licensing by state. Directs department to report to interim committee of Legislative Assembly on work group's recommendations on or before November 30, 2012.

Sunsets January 2, 2013.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to criminal records checks; and declaring an emergency.

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

4 **SECTION 1. (1) The Oregon Department of Administrative Services shall convene a work**
5 **group to develop recommendations for creating a single system, administered by the De-**
6 **partment of State Police, for performing criminal records checks on individuals who engage**
7 **in activities that require licensing by this state.**

8 (2) **The work group must include representatives of:**

9 (a) **The Oregon State Police;**

10 (b) **The Department of Education;**

11 (c) **The Department of Human Services;**

12 (d) **The Department of Corrections;**

13 (e) **The Oregon Department of Administrative Services;**

14 (f) **The State and Local Government Efficiency Task Force created in section 1, chapter**
15 **435, Oregon Laws 2011;**

16 (g) **An agency that licenses individuals;**

17 (h) **A human services organization;**

18 (i) **An association of school employees; and**

19 (j) **A local government.**

20 (3) **The Oregon Department of Administrative Services may include additional members**
21 **in the work group at its discretion.**

22 (4) **In developing its recommendations, the work group shall consider:**

23 (a) **The protection of the public;**

24 (b) **Maintaining high standards of safety and accuracy;**

25 (c) **Acknowledging and addressing disparate procedures that may be required by federal**
26 **and state law;**

27 (d) **Ensuring a timely process for employers and employees;**

28 (e) **Reducing the number and types of criminal records checks required;**

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.

1 (f) Allowing for transferability of criminal records checks among agencies and organiza-
2 tions;

3 (g) Providing for a system to update criminal records checks when certain events occur;
4 and

5 (h) Determining the feasibility of allowing authorized persons to access criminal records
6 checks on file.

7 (5) The department shall report on the work group's recommendations to an appropriate
8 interim committee of the Legislative Assembly on or before November 30, 2012.

9 SECTION 2. Section 1 of this 2012 Act is repealed on January 2, 2013.

10 SECTION 3. This 2012 Act being necessary for the immediate preservation of the public
11 peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect
12 on its passage.
13
