

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	9 - 0 - 0
Yeas:	Fagan, Gomberg, Gorsek, Huffman, Parrish, Whisnant, Reardon, Sprenger, Gelser
Nays:	0
Exc.:	0
Prepared By:	Lea Kear, Administrator
Meeting Dates:	2/8, 2/11

WHAT THE MEASURE DOES: Establishes retroactivity provisions for O.R.S. 339.374 and 339.375. Clarifies that laws requiring all substantiated abuse claims to be disclosed to employer, and prohibiting entering into agreements that limit disclosure of abuse claims apply whether the conduct occurred on or after July 1, 2010. Amendment clarifies that employer must have complied with the procedural requirements to take effect, and that the law applies to contracts entered into after July 1, 2010. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- 2009 legislation relating to sexual grooming
- Intent of bill to provide clarification, housekeeping
- Need for emergency clause

EFFECT OF COMMITTEE AMENDMENT: Clarifies that employer must have complied with the procedural requirements to take effect, and that the law applies to contracts entered into after July 1, 2010.

BACKGROUND: In 2009 the Legislature passed House Bill 2062, which prohibited sexual grooming behavior or “sexual conduct” by school employees towards students. House Bill 2062 required school districts to request employment records from prior schools where a job applicant worked, and prohibited entering into agreements that limited disclosure. In April of 2012, a Josephine County Court ruled that the law does not apply to conduct that occurred before the effective date of July 1, 2010 because there is no retroactivity clause. House Bill 2184 clarifies the law by specifying that it applies retroactively.