

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure

Vote: 3 - 0 - 2

Yeas: Kruse, Roblan, Hass

Nays: 0

Exc.: Beyer, Knopp

Prepared By: Richard Donovan, Administrator

Meeting Dates: 3/12, 3/14

WHAT THE MEASURE DOES: Establishes retroactivity provisions for Oregon Revised Statutes (ORS) 339.374 and 339.375. Clarifies that laws require all substantiated abuse claims to be disclosed to employer. Prohibits entering into agreements that limit disclosure of abuse claims, whether the conduct occurred before, on, or after July 1, 2010. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Housekeeping measure, clarifying that the language of the previous enacting measure applies to sexual conduct/grooming that occurred before July 1, 2010 (the effective date of the previous enacting measure)
- Proposed -2 amendments as providing clarity to the process for private school administrators
- Proposed -2 amendments as fitting into relating clause of this bill, perhaps no other bills in the current session

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: House Bill 2062 (2009) prohibited sexual grooming behavior or “sexual conduct” by school employees towards students. 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 due to the lack of a retroactivity clause. House Bill 2184-A clarifies the law by specifying that it applies retroactively.