

House Bill 2169

Sponsored by Representative KRIEGER (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**.

Authorizes law enforcement to obtain information about public assistance recipient for purposes other than administration of public assistance programs if law enforcement furnishes Oregon Trail Card.

A BILL FOR AN ACT

1
2 Relating to the release of information about a public assistance recipient to law enforcement;
3 amending ORS 411.320.

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

5 **SECTION 1.** ORS 411.320 is amended to read:

6 411.320. (1) For the protection of applicants for and recipients of public assistance, except as
7 otherwise provided in this section, the Department of Human Services may not disclose or use the
8 contents of any public assistance records, files, papers or communications for purposes other than
9 those directly connected with the administration of the public assistance programs or necessary to
10 assist public assistance applicants and recipients in accessing and receiving other governmental or
11 private nonprofit services, and these records, files, papers and communications are considered con-
12 fidential subject to the rules of the department. In any judicial or administrative proceeding, except
13 proceedings directly connected with the administration of public assistance or child support
14 enforcement laws, their contents are considered privileged communications.

15 (2) Nothing in this section prohibits the disclosure or use of contents of records, files, papers
16 or communications for purposes directly connected with the establishment and enforcement of sup-
17 port obligations pursuant to the Title IV-D program.

18 (3) Nothing in this section prohibits the disclosure of the address, Social Security number and
19 photograph of any applicant or recipient to a law enforcement officer at the request of the officer.
20 To receive information pursuant to this section, the officer must furnish the agency the name of the
21 applicant or recipient **or, if the name is unknown, the electronic benefits transfer card**, and
22 advise that the applicant or recipient:

23 (a) Is fleeing to avoid prosecution, custody or confinement after conviction for a felony;

24 (b) Is violating a condition of probation or parole; or

25 (c) Has information that is necessary for the officer to conduct the official duties of the officer
26 and the location or apprehension of the applicant or recipient is within such official duties.

27 (4) Nothing in this section prohibits disclosure of information between the department and the
28 Oregon Health Authority for the purpose of administering public assistance programs.

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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.