

House Bill 3331

Sponsored by Representative NATHANSON; Representatives GILLIAM, HOYLE

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 Department of State Police to establish Voluntary Central Criminal Records Check Registry. Authorizes certain individuals who are required to complete criminal records checks to enroll in registry and submit evidence of enrollment in registry in lieu of future criminal records checks.

Declares emergency, effective on passage.

A BILL FOR AN ACT

Relating to criminal records checks; and declaring an emergency.

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

SECTION 1. (1) The Department of State Police shall establish a Voluntary Central Criminal Records Check Registry.

(2) An individual who is required to submit to a criminal records check pursuant to ORS 181.533 or 181.534 may enroll in the registry as provided in this section.

(3)(a) The department shall prescribe by rule the form and manner for enrolling in the registry. The department shall make print and electronic applications for enrollment in the registry available for use by qualified entities under ORS 181.533 and authorized agencies under ORS 181.534.

(b) Upon receiving an application for enrollment in the registry, the department shall complete a criminal records check under ORS 181.534. The department shall enroll the individual in the registry if:

(A) The department determines the individual has no criminal history;

(B) The individual has paid the application fee established by the department under subsection (8) of this section; and

(C) The individual has complied with the rules of the department adopted under this section.

(4) The department may conditionally enroll an individual in the registry pending the results of a nationwide criminal records check through the Federal Bureau of Investigation if the individual has met other requirements of the department for enrollment in the registry.

(5)(a) A qualified entity under ORS 181.533 may accept evidence of enrollment in the registry from an individual who is enrolled in the registry in lieu of the qualified entity's own requirement of completing a criminal records check.

(b) An authorized agency under ORS 181.534 may accept evidence of enrollment in the registry from an individual who is enrolled in the registry in lieu of the authorized agency's own requirement of completing a criminal records check.

(6) Enrollment in the registry expires two years from the date of enrollment, but may

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 **be renewed upon:**

2 (a) **Application to the department;**

3 (b) **Payment of the renewal fee established by the department under subsection (8) of this**
4 **section; and**

5 (c) **Compliance with rules adopted by the department under this section.**

6 (7) **The department shall conduct on a quarterly basis a criminal records check on indi-**
7 **viduals enrolled in the registry. If the criminal records check reveals information that would**
8 **make the individual ineligible for enrollment, the department shall remove the individual**
9 **from the registry and inform a qualified entity or an authorized agency that has accepted**
10 **evidence of enrollment in the registry in lieu of completing a criminal records check of the**
11 **removal.**

12 (8) **The department shall adopt all rules necessary and proper to carry out this section,**
13 **including but not limited to rules establishing application and renewal fees.**

14 **SECTION 2. (1) Section 1 of this 2013 Act becomes operative on January 1, 2014.**

15 (2) **The Department of State Police may take any action before the operative date speci-**
16 **fied in subsection (1) of this section necessary to enable the department to implement the**
17 **Voluntary Central Criminal Records Check Registry described in section 1 of this 2013 Act**
18 **before the operative date specified in subsection (1) of this section.**

19 **SECTION 3. This 2013 Act being necessary for the immediate preservation of the public**
20 **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**
21 **on its passage.**

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