

B-Engrossed
Senate Bill 1559

Ordered by the Senate March 6
Including Senate Amendments dated February 18 and March 6

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Business and Transportation)

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.

[Establishes Oregon Liquor Control Commission Modernization Task Force. Requires task force to undertake evaluation of existing system for distributing and selling distilled liquor and identify and evaluate potential means for modernizing system. Requires task force to report to interim committee of Legislative Assembly no later than October 1, 2014.]

*[Removes] **Limits inclusion of** Oregon Liquor Control Commission *[from]* **in** definition of "criminal justice agency" for purposes of certain statutes dealing with fingerprinting, criminal background checks, agency information and data sharing and other matters. *[Adds liquor enforcement inspectors to definition of criminal justice agency.]**

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to alcoholic beverages; amending ORS 181.010; and declaring an emergency.

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

4 **SECTION 1.** ORS 181.010 is amended to read:

5 181.010. As used in ORS 181.010 to 181.560 and 181.715 to 181.730, unless the context requires
6 otherwise:

7 (1) "Criminal justice agency" means:

8 (a) The Governor;

9 (b) Courts of criminal jurisdiction;

10 (c) The Attorney General;

11 (d) District attorneys, city attorneys with criminal prosecutorial functions, attorney employees
12 of the office of public defense services and nonprofit public defender organizations established under
13 contract with the Public Defense Services Commission;

14 (e) Law enforcement agencies;

15 (f) The Department of Corrections;

16 (g) The Oregon Youth Authority;

17 (h) The State Board of Parole and Post-Prison Supervision;

18 (i) The Department of Public Safety Standards and Training;

19 (j) The **enforcement division of the** Oregon Liquor Control Commission;

20 (k) Regional information systems that share programs to track, identify and remove cross-
21 jurisdictional criminal and terrorist conspiracies; and

22 (L) Any other state or local agency with law enforcement authority.

23 (2) "Criminal offender information" includes records and related data as to physical description

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 and vital statistics, fingerprints received and compiled for purposes of identifying criminal offenders
2 and alleged offenders, records of arrests and the nature and disposition of criminal charges, includ-
3 ing sentencing, confinement, parole and release.

4 (3) "Department" means the Department of State Police established under ORS 181.020.

5 (4) "Deputy superintendent" means the Deputy Superintendent of State Police appointed under
6 ORS 181.220.

7 (5) "Designated agency" means any state, county or municipal government agency where Oregon
8 criminal offender information is required to implement a federal or state statute, executive order
9 or administrative rule that expressly refers to criminal conduct and contains requirements or ex-
10 clusions expressly based on such conduct or for agency employment purposes, licensing purposes or
11 other demonstrated and legitimate needs when designated by order of the Governor.

12 (6) "Disposition report" means a form or process prescribed or furnished by the department,
13 containing a description of the ultimate action taken subsequent to an arrest.

14 (7) "Law enforcement agency" means:

15 (a) County sheriffs, municipal police departments, police departments established by a university
16 under ORS 352.383 or 353.125 and State Police;

17 (b) Other police officers of this state or another state, including humane special agents as de-
18 fined in ORS 181.435;

19 (c) A tribal government as defined in section 1, chapter 644, Oregon Laws 2011, that employs
20 authorized tribal police officers as defined in section 1, chapter 644, Oregon Laws 2011; and

21 (d) Law enforcement agencies of the federal government.

22 (8) "State police" means the sworn members of the state police force appointed under ORS
23 181.250.

24 (9) "Superintendent" means the Superintendent of State Police appointed under ORS 181.200.

25 **SECTION 2.** ORS 181.010, as amended by section 49, chapter 644, Oregon Laws 2011, section
26 19, chapter 54, Oregon Laws 2012, section 12, chapter 67, Oregon Laws 2012, and section 30, chapter
27 180, Oregon Laws 2013, is amended to read:

28 181.010. As used in ORS 181.010 to 181.560 and 181.715 to 181.730, unless the context requires
29 otherwise:

30 (1) "Criminal justice agency" means:

31 (a) The Governor;

32 (b) Courts of criminal jurisdiction;

33 (c) The Attorney General;

34 (d) District attorneys, city attorneys with criminal prosecutorial functions, attorney employees
35 of the office of public defense services and nonprofit public defender organizations established under
36 contract with the Public Defense Services Commission;

37 (e) Law enforcement agencies;

38 (f) The Department of Corrections;

39 (g) The Oregon Youth Authority;

40 (h) The State Board of Parole and Post-Prison Supervision;

41 (i) The Department of Public Safety Standards and Training;

42 (j) The **enforcement division of the** Oregon Liquor Control Commission;

43 (k) Regional information systems that share programs to track, identify and remove cross-
44 jurisdictional criminal and terrorist conspiracies; and

45 (L) Any other state or local agency with law enforcement authority.

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7 ORS 181.220.

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20 (c) Law enforcement agencies of the federal government.

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22 181.250.

23 (9) "Superintendent" means the Superintendent of State Police appointed under ORS 181.200.

24 **SECTION 3. This 2014 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2014 Act takes effect**
26 **on its passage.**

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