

PRELIMINARY STAFF MEASURE SUMMARY

Joint Committee On Ways and Means

Fiscal: Fiscal impact issued

Revenue: No Revenue Impact

Action Date:

Action:

Meeting Dates:

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WHAT THE MEASURE DOES:

Authorizes the Department of Administrative Services (DAS) to adopt rules relating to electronic fingerprint capture. Directs DAS to adopt rules establishing factors to be considered when making fitness determinations and appealing such determinations. Grants the Chief Justice of the Supreme Court the authority to adopt rules related to fingerprint-based background checks for the Judicial Branch after considering the rules adopted by DAS. Shifts some of the Oregon State Police Clearinghouse program activities to the Oregon Health Authority.

ISSUES DISCUSSED:

Fiscal provisions of the measure

EFFECT OF COMMITTEE AMENDMENT:

Provides further direction and clarification regarding fitness determinations. Provides funding for implementation of the measure.

BACKGROUND:

In 2012 the Legislative Assembly passed House Bill 4091 establishing a workgroup to consider the statewide system of criminal background checks and evaluate potential improvements in timeliness, cost and reduction of duplication. Three bills related to criminal records checks for licensure and employment purposes grew out of the workgroup process, and were enacted in the 2013 session: House Bill 3330 requiring the Oregon State Police to adopt electronic fingerprint capture technology; House Bill 3331 directing the Oregon State Police to establish a voluntary, centralized criminal records check registry; and House Bill 3168 requiring DAS to adopt rules to establish statewide criteria for agencies and other entities to conduct criminal background checks for purposes other than criminal justice.

House Bill 2250-A continues the process begun with House Bill 3168 (2013) of moving rule-making related to background and criminal records checks to DAS. The bill provides uniform rules for agencies to make fitness determinations, and makes numerous related conforming changes in statute. The bill also allows the Oregon State Police to delegate the processing of fitness determinations for a variety of agencies to the Department of Human Services.