

B-Engrossed
House Bill 3391

Ordered by the Senate June 22
Including House Amendments dated April 27 and Senate Amendments
dated June 22

Sponsored by Representative EVANS; Representatives BARNHART, NATHANSON, NOSSE, PARRISH, STARK

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.

Authorizes Attorney General to file action on behalf of Department of Human Services employee for stalking citation or stalking protective order upon request that has been approved in writing by Director of Human Services or designee and sets forth sufficient facts and evidence, and that in opinion of Attorney General is likely to succeed.

Prohibits action from including request for certain damages, attorney fees and costs.

[Establishes Task Force on Safety for Child Welfare Employees. Requires report to Legislative Assembly and interim committees before September 15, 2016.]

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to safety for employees of the Department of Human Services; and declaring an emergency.

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

4 **SECTION 1. (1) The Attorney General may bring an action in a circuit court for a cita-**
5 **tion or a stalking protective order under ORS 30.866 or 163.730 to 163.750 on behalf of an**
6 **employee of the Department of Human Services who, because of being involved in the con-**
7 **duct described in subsection (3) of this section, is the subject of repeated and unwanted**
8 **contact by another person that causes alarm or coercion to the employee. The Attorney**
9 **General's responsibility under this subsection is limited to circumstances in which an em-**
10 **ployee of the department submits a written request to the Attorney General that:**

11 (a) **Has been approved in writing by the Director of Human Services or the director's**
12 **designee;**

13 (b) **Sets forth sufficient facts and evidence, the truth of which has been affirmed by the**
14 **employee; and**

15 (c) **Based solely upon the opinion of the Attorney General, is an action that is likely to**
16 **succeed.**

17 **(2) The action brought under this section may not include a request for:**

18 (a) **Special and general damages, including damages for emotional distress;**

19 (b) **Economic or noneconomic damages;**

20 (c) **Punitive damages; or**

21 (d) **Attorney fees and costs.**

22 **(3) Departmental employees on whose behalf the citation or stalking protective order**
23 **may be obtained under subsection (1) of this section include employees who:**

24 (a) **Conduct a child abuse investigation under ORS 419B.020;**

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 **(b) Make a determination that a child must be taken into protective custody under ORS**
2 **419B.150;**

3 **(c) Make a determination that a child should not be released to the child's parent or**
4 **other responsible person under ORS 419B.165 (2); and**

5 **(d) Are involved in developing a case plan or making a placement decision for a child in**
6 **the legal custody of the department.**

7 **SECTION 2. This 2015 Act being necessary for the immediate preservation of the public**
8 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**
9 **on its passage.**

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