

Senate Bill 503

Sponsored by Senators MONNES ANDERSON, WINTERS; Senators BOQUIST, GELSER, STEINER HAYWARD, THOMSEN, Representatives HUFFMAN, NATHANSON, WILLIAMSON

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**.

Requires Department of Human Services to identify applicants for and recipients of assistance under temporary assistance for needy families program who are victims of sexual assault or at risk for being victims of sexual assault.

Directs department to report to each odd-numbered year regular session of Legislative Assembly regarding status and efficacy of sexual assault victim identification process, utilization of emergency assistance by victims of sexual assault and sexual assault training, information sharing and evaluation.

A BILL FOR AN ACT

1
2 Relating to assistance for victims of sexual assault; creating new provisions; and amending ORS
3 411.117 and 411.154.

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

5 **SECTION 1. ORS 411.117 and 411.154 are added to and made a part of ORS chapter 412.**

6 **SECTION 2. ORS 411.117 is amended to read:**

7 411.117. (1) The Department of Human Services shall:

8 (a) Identify applicants for and recipients of assistance under the temporary assistance for needy
9 families program who are currently victims of **sexual assault or** domestic violence, have been vic-
10 tims of **sexual assault or** domestic violence or are at risk of victimization by **sexual assault or**
11 domestic violence.

12 (b) Ensure that appropriate individuals on the local level who provide assistance to **sexual as-**
13 **sault and** domestic violence victims participate in individualized case management with the de-
14 partment.

15 (c) Refer individuals identified under this subsection to appropriate counseling and support ser-
16 vices.

17 (d) Waive or modify any temporary assistance for needy families program requirements that may
18 make it more difficult for individuals identified under this subsection to escape **sexual assault or**
19 domestic violence or place those individuals at risk of further or future **sexual assault or** domestic
20 violence, including but not limited to:

21 (A) Time limits on receipt of benefits;

22 (B) Work requirements;

23 (C) Paternity establishment and child support cooperation requirements;

24 (D) Residency requirements;

25 (E) Family cap provisions; and

26 (F) Penalties for failure to comply with a program requirement.

27 (e) Maintain emergency assistance eligibility and payment limits for victims of **sexual assault**
28 **or** domestic violence or persons at risk of victimization by **sexual assault or** domestic violence

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 identified under this section at no less than:

2 **(A) For emergency assistance eligibility**, the levels in effect on January 1, 1997; and

3 **(B) For payment limits, \$2,000, as adjusted pursuant to the increase, if any, from the**
4 **preceding year in the U.S. City Average Consumer Price Index for All Urban Consumers (All**
5 **Items) as published by the Bureau of Labor Statistics of the United States Department of**
6 **Labor.**

7 (f) Allow eligibility for temporary assistance for needy families for persons identified under this
8 section as victims of **sexual assault or** domestic violence or persons identified as at risk of
9 victimization by **sexual assault or** domestic violence who would otherwise be eligible except for the
10 fact that they are noncitizens.

11 (2) All information received by the department in identifying the individuals described in sub-
12 section (1) of this section shall remain confidential.

13 (3) For purposes of this section[,]:

14 **(a) "Domestic violence"** means the occurrence of one or more of the following acts between
15 family members, intimate partners or household members:

16 [(a)] **(A)** Attempting to cause or intentionally, knowingly or recklessly causing physical injury
17 or emotional, mental or verbal abuse;

18 [(b)] **(B)** Intentionally, knowingly or recklessly placing another in fear of imminent serious
19 physical injury;

20 [(c)] **(C)** Committing sexual abuse in any degree as defined in ORS 163.415, 163.425 and 163.427;
21 or

22 [(d)] **(D)** Using coercive or controlling behavior.

23 **(b) "Sexual assault" means sexual abuse as defined in ORS 163.760.**

24 **SECTION 3.** ORS 411.154 is amended to read:

25 411.154. The Department of Human Services shall report to each odd-numbered year regular
26 session of the Legislative Assembly on the status and efficacy of:

27 (1) The **sexual assault and** domestic violence identification process under ORS 411.117;

28 (2) Emergency assistance utilization for victims of **sexual assault and** domestic violence; and

29 (3) **Sexual assault and** domestic violence training for department staff, information sharing and
30 evaluation.

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