

Senate Bill 1549

Sponsored by Senator COURTNEY, Representative KOTEK (Presession filed.)

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**.

Permits Oregon Department of Administrative Services to require fingerprints for purpose of requesting state or nationwide criminal records check of person who is employed or applying for employment with, or provides or seeks to provide services to, qualified entity. Defines "qualified entity."

Permits Legislative Administration Committee to require fingerprints of person who is employed or applying for employment with, or provides or seeks to provide services to, legislative department. Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to fingerprints; creating new provisions; amending ORS 184.365; and declaring an emer-
3 gency.

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

5 **SECTION 1.** ORS 184.365 is amended to read:

6 184.365. (1) **As used in this section, "qualified entity" means an entity of the executive**
7 **department, as defined in ORS 174.112, that contracts as a client, or is party to an intera-**
8 **gency agreement, with the Oregon Department of Administrative Services to receive human**
9 **resources services from the department.**

10 (2) For the purpose of requesting a state or nationwide criminal records check under ORS
11 181A.195, the [*Oregon Department of Administrative Services*] **department** may require the finger-
12 prints of a person who:

13 [(1)(a)] (a)(A) Is employed or applying for employment by the department; [*or*]

14 (B) **Is employed or applying for employment by a qualified entity; or**

15 [(b)] (C) Provides services or seeks to provide services to the department, **or to a qualified**
16 **entity**, as a contractor, vendor or volunteer; and

17 [(2)] (b) Is, or will be, working or providing services in a position:

18 [(a)] (A) In which the person is providing information technology services and has control over,
19 or access to, information technology systems that would allow the person to harm the information
20 technology systems or the information contained in the systems;

21 [(b)] (B) In which the person has access to information, the disclosure of which is prohibited by
22 state or federal laws, rules or regulations or information that is defined as confidential under state
23 or federal laws, rules or regulations;

24 [(c)] (C) That has payroll functions or in which the person has responsibility for receiving, re-
25 ceipting or depositing money or negotiable instruments, for billing, collections or other financial
26 transactions or for purchasing or selling property or has access to property held in trust or to pri-
27 vate property in the temporary custody of the state;

28 [(d)] (D) That has mailroom duties as the primary duty or job function of the position;

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 [(e)] (E) In which the person has responsibility for auditing the department, **a qualified entity**
2 or other governmental agencies;

3 [(f)] (F) That has personnel or human resources functions as one of the position's primary re-
4 sponsibilities;

5 [(g)] (G) In which the person has access to personal information about employees or members
6 of the public including Social Security numbers, dates of birth, driver license numbers, medical in-
7 formation, personal financial information or criminal background information;

8 [(h)] (H) In which the person has access to chemicals or hazardous materials, to facilities in
9 which chemicals and hazardous materials are present or to information regarding the transportation
10 of chemical or hazardous materials;

11 [(i)] (I) In which the person has access to property to which access is restricted in order to
12 protect the health or safety of the public;

13 [(j)] (J) In which the person provides security, design or construction services for government
14 buildings, grounds or facilities; or

15 [(k)] (K) In which the person has access to critical infrastructure or security-sensitive facilities
16 or information.

17 **SECTION 2. (1) As used in this section, "legislative department" has the meaning given**
18 **that term in ORS 174.114.**

19 **(2) For the purpose of requesting a state or nationwide criminal records check under**
20 **ORS 181A.195, the Legislative Administration Committee may require the fingerprints of a**
21 **person who:**

22 (a) **Is employed or applying for employment with the legislative department;**

23 (b) **Provides services or seeks to provide services to the legislative department as a**
24 **contractor, vendor or volunteer; or**

25 (c) **Provides services or seeks to provide services to a board, commission, committee or**
26 **task force created by statute or by action of an officer of the legislative department.**

27 **SECTION 3. This 2016 Act being necessary for the immediate preservation of the public**
28 **peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect**
29 **on its passage.**

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