

SB 834 A STAFF MEASURE SUMMARY

Carrier: Sen. Gelser

Senate Committee On Human Services

Action Date: 03/27/17

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Dembrow, Gelser, Knopp, Monnes Anderson, Olsen

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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WHAT THE MEASURE DOES:

Requires Department of Human Services (DHS) to develop proposal for creation of human rights commission and report findings and proposal to Legislative Assembly by December 1, 2017. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Importance of independence for intellectually and developmentally disabled people
- Necessity for and structure of possible human rights commission
- Current protection of existing rights under federal and state law

EFFECT OF AMENDMENT:

Modifies preamble to include additional entities that sometimes restrict activities and freedoms of disabled individuals. Changes department's reporting date.

BACKGROUND:

Federal law protects the rights of intellectually and developmentally disabled individuals. However, sometimes these rights are unnecessarily restricted and oversight is necessary. Several states have commissions or agencies dedicated to adjudicating the rights of individuals with disabilities. For example, Arizona has a Human Rights Committee on Persons with Developmental Disabilities (housed in the Department of Economic Security) to review incidents regarding developmentally disabled people. Georgia has a similarly structured Human Rights Council. Washington has an independent Human Rights Commission which administers and enforces the state's "Law Against Discrimination," which covers discrimination against mentally disabled people in public accommodations, employment, housing, and credit and insurance. Various other states have human rights-related authorities for the protection of vulnerable populations. Oregon currently has no such commission.

Senate Bill 834-A directs the Department of Human Services (DHS) to develop a proposal for creating an independent human rights commission, for the purpose of adjudicating the dignity and basic rights of persons with intellectual and developmental disabilities. The proposal is required to address necessary legislative changes, projected costs, the independence of the commission, comparisons with other states' commissions, and enumeration of basic rights protected by the commission. Senate Bill 834-A requires DHS to submit its proposal to the interim committees related to human services and health of the legislature by December 1, 2017.