

# House Bill 2441

Sponsored by Representative PARRISH; Representative NEARMAN (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**.

Provides that employee of public employer is liable to employer for wages paid to employee during period of administrative leave if employee was placed on leave as result of allegation that employee engaged in criminal conduct and if employee is thereafter convicted of crime by reason of conduct.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

Relating to public employees; and declaring an emergency.

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

**SECTION 1. (1) As used in this section, "creditable service," "employee" and "public employer" have the meaning given those terms in ORS 238.005.**

**(2) An employee of a public employer is liable to the employer for wages paid to the employee during a period of administrative leave if:**

**(a) The employee was placed on administrative leave as a result of an allegation that the employee engaged in criminal conduct; and**

**(b) The employee is convicted of a crime by reason of the conduct.**

**(3) Subject to ORS 652.610, a public employer may recover wages that were paid to the employee after the date the employee was placed on administrative leave and before the date of the conviction, or before the date on which the employee is terminated, whichever is later.**

**(4) If an employee is liable to a public employer for wages under this section, the Public Employees Retirement Board shall credit all employer and employee contributions that are attributable to the wages, and that were made by the employer for or on behalf of the employee, to other liabilities of the employer, and may not treat the period for which the contributions were made as creditable service under ORS chapter 238 or 238A.**

**SECTION 2. (1) Except as provided in subsection (2) of this section, section 1 of this 2017 Act applies to all employees placed on administrative leave on or after the effective date of this 2017 Act.**

**(2) Section 1 of this 2017 Act does not apply to an employee who is subject to a collective bargaining agreement entered into before the effective date of this 2017 Act.**

**SECTION 3. This 2017 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect on its passage.**

**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.