

House Bill 2551

Sponsored by Representative HACK (Pre-session 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**.

Prohibits placement of child with intellectual disability, who is taken into protective custody, in hotel, motel, inn, hospital, Department of Human Services office or juvenile detention facility.
Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to children in protective custody; amending ORS 419B.180; and declaring an emergency.

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

4 **SECTION 1.** ORS 419B.180 is amended to read:

5 419B.180. (1) The juvenile court of each county shall designate the place or places in which
6 children are to be placed in detention or shelter care when taken into protective custody. If the
7 county is adjacent to another state, the court may designate a place or places in the adjoining state
8 where children, pursuant to an agreement between such place or places and the juvenile department
9 of the county, may be placed in detention when taken into custody. A county juvenile department
10 shall not enter into an agreement with an out-of-state place for detention of juveniles, as provided
11 in this section, unless the place or places conform to standards of this state for such a place and
12 unless the agreement includes a provision that the place be subject to inspection by officers of this
13 state under ORS 419A.061.

14 **(2) Notwithstanding subsection (1) of this section, a child with an intellectual disability,**
15 **as defined in ORS 427.005, who is taken into protective custody by the Department of Human**
16 **Services may not be placed in a:**

17 **(a) Hotel, motel or inn dwelling unit.**

18 **(b) Hospital, unless the child needs hospital care.**

19 **(c) Department of Human Services office.**

20 **(d) Juvenile detention facility.**

21 **SECTION 2. This 2017 Act being necessary for the immediate preservation of the public**
22 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
23 **on its passage.**
24

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.