

# Enrolled House Bill 2611

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

CHAPTER .....

## AN ACT

Relating to law enforcement units; creating new provisions; and amending ORS 181A.620.

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

**SECTION 1.** ORS 181A.620 is amended to read:

181A.620. (1) As used in this section:

(a) [*“Original employing governmental agency” means a governmental agency that first employs an employee in a position that requires training.*] **“Basic training” means the training course and field training approved by the Board on Public Safety Standards and Training and required by the Department of Public Safety Standards and Training for certification as a corrections officer or police officer.**

(b) [*“Parole and probation officer” has the meaning given that term in ORS 181A.355.*] **“Corrections officer” has the meaning given that term in ORS 181A.355.**

(c) **“Law enforcement unit” has the meaning given that term in ORS 181A.355.**

[(c)] (d) **“Police officer” has the meaning given that term in ORS 181A.355.**

[(d)] *“Training costs” means training expenses paid for by an employing governmental agency that include the cost of salary and benefits paid to an employee during training, the cost of salary and benefits paid to another employee to cover the workload of an employee in training and the cost of initial training courses required for employment.*

(e) **“Qualifying expenses” means the actual amount of salary and benefits paid by a law enforcement unit to a corrections officer or police officer while that corrections officer or police officer was:**

**(A) Engaged in basic training;**

**(B) Completing up to six weeks of corrections officer field training; or**

**(C) Completing up to 16 weeks of police officer field training.**

(2) Subject to an employment agreement between an original employing [*governmental agency and an employee*] **law enforcement unit and a corrections officer or police officer** or to an applicable collective bargaining agreement, when [*an employee of*] **a corrections officer or police officer employed by a** [*governmental agency*] **law enforcement unit** who [*is employed in a position that requires*] **has completed any portion of basic** training voluntarily leaves employment with that original employing [*governmental agency*] **law enforcement unit** and is subsequently employed by a different [*governmental agency*] **law enforcement unit** in a position that requires the same training as required for the position with the original employing [*governmental agency*] **law enforcement unit**, the subsequent employing [*governmental agency*] **law enforcement unit** shall, **upon a request made pursuant to subsection (4) of this section**, reimburse the original employing [*governmental*

agency] **law enforcement unit** for [training costs] **qualifying expenses** incurred by the original employing [governmental agency] **law enforcement unit** in accordance with the reimbursement schedule adopted under subsection (3) of this section.

(3) *[If an employing governmental agency requires employees to be trained, the agency shall adopt a policy providing for a pro rata reimbursement schedule for the reimbursement of training costs by a subsequent employing governmental agency to the original employing governmental agency as follows:]*

*[(a) If the training costs are for training provided to an employee who is employed as a state police officer, a police officer or a deputy sheriff,] The required reimbursement **rate** shall be:*

*[(A)] (a) 100 percent of [training costs] **qualifying expenses** if the [employee] **corrections officer or police officer** is employed by the subsequent employing [governmental agency] **law enforcement unit** within 12 months from the date the [employee completes training required by] **corrections officer or police officer began employment with** the original employing [governmental agency] **law enforcement unit**.*

*[(B)] (b) 66 percent of [training costs] **qualifying expenses** if the [employee] **corrections officer or police officer** is employed by the subsequent employing [governmental agency] **law enforcement unit** more than 12 months but less than 24 months from the date the [employee completes training required by] **corrections officer or police officer began employment with** the original employing [governmental agency] **law enforcement unit**.*

*[(C)] (c) 33 percent of [training costs] **qualifying expenses** if the [employee] **corrections officer or police officer** is employed by the subsequent employing [governmental agency] **law enforcement unit** more than 24 months but less than 36 months from the date the [employee completes training required by] **corrections officer or police officer began employment with** the original employing [governmental agency] **law enforcement unit**.*

*[(D)] (d) Waived if the [employee] **corrections officer or police officer** is employed by the subsequent employing [governmental agency] **law enforcement unit** more than 36 months from the date the [employee completes training required by] **corrections officer or police officer began employment with** the original employing [governmental agency] **law enforcement unit**.*

*[(b) If the training costs are for training provided to an employee who is employed as a state or local corrections officer or as a parole and probation officer, the required reimbursement shall be:]*

*[(A) 100 percent of training costs if the employee is employed by the subsequent employing governmental agency within 10 months from the date the employee completes training required by the original employing governmental agency.]*

*[(B) 66 percent of training costs if the employee is employed by the subsequent employing governmental agency more than 10 months but less than 20 months from the date the employee completes training required by the original employing governmental agency.]*

*[(C) 33 percent of training costs if the employee is employed by the subsequent employing governmental agency more than 20 months but less than 30 months from the date the employee completes training required by the original employing governmental agency.]*

*[(D) Waived if the employee is employed by the subsequent employing governmental agency more than 30 months from the date the employee completes training required by the original employing governmental agency.]*

**(4) A request for reimbursement must be:**

**(a) In writing; and**

**(b) Made by the original employing law enforcement unit to the subsequent employing law enforcement unit within six months of the date on which the corrections officer or police officer was hired by the subsequent employing law enforcement unit.**

*[(4) Notwithstanding subsection (2) of this section, an original employing governmental agency may waive the reimbursement of training costs for an employee who voluntarily leaves employment with the original employing governmental agency and is subsequently employed by another governmental agency.]*

(5) When making employment decisions, a [governmental agency] **law enforcement unit** may not take into consideration the possibility that the reimbursement of [training costs] **qualifying expenses** specified in subsection (2) of this section will be required if a particular applicant is employed.

[*(6) A governmental agency that requires employees to complete training shall develop and implement policies that provide incentives to promote the retention of such employees.*]

**SECTION 2. The amendments to ORS 181A.620 by section 1 of this 2017 Act apply to a corrections officer or police officer hired by a subsequent employing law enforcement unit on or after the effective date of this 2017 Act.**

**Passed by House March 21, 2017**

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

**Passed by Senate April 27, 2017**

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Peter Courtney, President of Senate

**Received by Governor:**

.....M,....., 2017

**Approved:**

.....M,....., 2017

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Kate Brown, Governor

**Filed in Office of Secretary of State:**

.....M,....., 2017

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Dennis Richardson, Secretary of State