

House Bill 3018

Sponsored by Representative KOTEK

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**.

Eliminates sunset on Law Enforcement Profiling Work Group. Renames work group as Law Enforcement Profiling Task Force.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to law enforcement profiling; creating new provisions; amending sections 5 and 7, chapter
3 681, Oregon Laws 2015; and declaring an emergency.

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

5 **SECTION 1.** Section 7, chapter 681, Oregon Laws 2015, as amended by section 1, chapter 4,
6 Oregon Laws 2016, is amended to read:

7 **Sec. 7.** *[(1)]* Section 4, chapter 681, Oregon Laws 2015, is repealed on July 1, 2016.

8 *[(2) Section 5, chapter 681, Oregon Laws 2015, is repealed on July 1, 2017.]*

9 **SECTION 2.** Section 5, chapter 681, Oregon Laws 2015, as amended by section 2, chapter 4,
10 Oregon Laws 2016, is amended to read:

11 **Sec. 5.** (1) The Law Enforcement Profiling [*Work Group*] **Task Force** is established, consisting
12 of the following 10 members:

13 (a) Three members appointed by the President of the Senate.

14 (b) Three members appointed by the Speaker of the House of Representatives.

15 (c) Three members appointed by the Governor.

16 (d) The Attorney General, or the Attorney General's designee [*from the Civil Rights Unit of the*
17 *Department of Justice*], who shall chair the [*work group*] **task force**.

18 (2) The [*work group*] **task force** shall:

19 (a) Propose a process to identify any patterns or practices of profiling as defined in ORS 131.915
20 that impact groups of persons disproportionately on the basis of any of the factors listed in ORS
21 131.915 (3).

22 (b) Identify methods to address and correct patterns or practices of profiling.

23 (c) Prepare **and submit** a report identifying any statutory changes needed, including recom-
24 mendations for legislation, to the interim committees of the Legislative Assembly related to the ju-
25 diciary **in the manner provided by ORS 192.245** no later than [*December 1, 2015*] **September 15**
26 **each year**.

27 [*(d) Prepare a second report identifying any additional statutory changes needed, including rec-*
28 *ommendations for legislation, to the interim committees of the Legislative Assembly related to the ju-*
29 *diary no later than December 1, 2016.*]

30 (3) **A majority of the members of the task force constitutes a quorum for the transaction**
31 **of business.**

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 **(4) Official action by the task force requires the approval of a majority of the members**
2 **of the task force.**

3 **(5) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
4 **ment to become immediately effective.**

5 **(6) The task force shall meet at times and places specified by the call of the chairperson**
6 **or of a majority of the members of the task force.**

7 **(7) The task force may adopt rules necessary for the operation of the task force.**

8 **[(3)] (8) The Department of Justice shall provide administrative and technical support to the**
9 **[work group] task force.**

10 **(9) Members of the task force are not entitled to compensation or reimbursement for**
11 **expenses and serve as volunteers on the task force.**

12 **(10) All agencies of state government, as defined in ORS 174.111, are directed to assist**
13 **the task force in the performance of duties of the task force and, to the extent permitted**
14 **by laws relating to confidentiality, to furnish information and advice the members of the task**
15 **force consider necessary to perform their duties.**

16 **SECTION 3. If this 2017 Act does not become effective until after July 1, 2017, the**
17 **amendments to section 7 (2), chapter 681, Oregon Laws 2015, by section 1 of this 2017 Act**
18 **revive section 5, chapter 681, Oregon Laws 2015. If this 2017 Act does not become effective**
19 **until after July 1, 2017, this 2017 Act shall be operative retroactively to that date, and the**
20 **operation and effect of section 5, chapter 681, Oregon Laws 2015, shall continue unaffected**
21 **from July 1, 2017, to the effective date of this 2017 Act and thereafter. Any otherwise lawful**
22 **action taken or otherwise lawful obligation incurred under the authority of section 5, chapter**
23 **681, Oregon Laws 2015, after July 1, 2017, and before the effective date of this 2017 Act, is**
24 **ratified and approved.**

25 **SECTION 4. This 2017 Act being necessary for the immediate preservation of the public**
26 **peace, health and safety, an emergency is declared to exist, and this 2017 Act takes effect**
27 **on its passage.**