

B-Engrossed
Senate Bill 101

Ordered by the Senate April 26
Including Senate Amendments dated February 27 and April 26

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor Kate Brown for Department of Human Services)

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.

Authorizes child abuse investigation on school premises **if investigation involves interview of suspected victim or witnesses but not person suspected of committing abuse.**

Provides that Department of Human Services or law enforcement agency is not required to reveal information about investigation to school as condition of conducting investigation.

Prohibits school administrator or school staff member from notifying any person other than department or law enforcement agency of investigation and from disclosing information obtained during investigation.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to child abuse investigations; amending ORS 419B.045; and declaring an emergency.

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

4 **SECTION 1.** ORS 419B.045 is amended to read:

5 419B.045. (1) If an investigation of a report of child abuse is conducted on *[public]* school
6 premises, the school administrator shall first be notified that the investigation is to take place, un-
7 less the school administrator is a subject of the investigation. **The Department of Human Services**
8 **or the law enforcement agency conducting the investigation is not required to reveal infor-**
9 **mation about the investigation to the school as a condition of conducting the investigation.**

10 The school administrator or a school staff member designated by the administrator may, at the
11 investigator's discretion, be present to facilitate the investigation. The *[Department of Human Ser-*
12 *vices or the law enforcement agency making the investigation]* **investigator** shall be advised **by a**
13 **school administrator or a school staff member** of *[the]* a child's disabling conditions, if any, prior
14 to any interview with the *[affected]* child. A school administrator or **school** staff member *[is not*
15 *authorized to reveal anything that transpires]* **shall not notify any person other than the depart-**
16 **ment or law enforcement agency of an investigation described in this section and may not**
17 **disclose any information obtained** during an investigation *[in which the administrator or staff*
18 *member participates]*, nor shall the information become part of the child's school records. The school
19 administrator or **school** staff member may testify at any subsequent *[trial]* **court proceeding** re-
20 sulting from the investigation and may be interviewed by the respective litigants prior to any such
21 *[trial]* **court proceeding.**

22 (2) **Subsection (1) of this section applies solely to an investigation that involves an**
23 **interview of the suspected victim in the report of child abuse or witnesses and does not apply**

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 to an investigation or interview of a person who is suspected of having committed the abuse
2 that is the subject of the report.

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

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