

Senate Bill 86

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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**.

Authorizes Oregon Department of Administrative Services to require fingerprints of certain persons who are employed by or applying for employment with qualified entity or who provide services or seek to provide services to qualified entity. Defines "qualified entity."

A BILL FOR AN ACT

1
2 Relating to fingerprinting required by agencies that request human resource services; amending ORS
3 184.365.

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

5 **SECTION 1.** ORS 184.365 is amended to read:

6 184.365. (1) **As used in this section, "qualified entity" means an entity of the executive**
7 **department, as defined in ORS 174.112, that contracts with, or that is a party to an intera-**
8 **gency agreement with, the Oregon Department of Administrative Services for the purpose**
9 **of receiving human resource services from the department.**

10 (2) For the purpose of requesting a state or nationwide criminal records check under ORS
11 181A.195, the [*Oregon*] department [*of Administrative Services*] may require the fingerprints of a
12 person who:

13 [(1)(a)] (a)(A) Is employed **by** or applying for employment [*by*] **with** the department; [*or*]

14 (B) **Is employed by or applying for employment with a qualified entity; or**

15 [(b)] (C) Provides services or seeks to provide services to the department **or a qualified entity**
16 as a contractor, vendor or volunteer; and

17 [(2)] (b) Is, or will be, working or providing services in a position:

18 [(a)] (A) In which the person is providing information technology services and has control over,
19 or access to, information technology systems that would allow the person to harm the information
20 technology systems or the information contained in the systems;

21 [(b)] (B) In which the person has access to information, the disclosure of which is prohibited by
22 state or federal laws, rules or regulations or information that is defined as confidential under state
23 or federal laws, rules or regulations;

24 [(c)] (C) That has payroll functions or in which the person has responsibility for receiving, re-
25 ceipting or depositing money or negotiable instruments, for billing, collections or other financial
26 transactions or for purchasing or selling property or has access to property held in trust or to pri-
27 vate property in the temporary custody of the state;

28 [(d)] (D) That has mailroom duties as the primary duty or job function of the position;

29 [(e)] (E) In which the person has responsibility for auditing the department or other govern-
30 mental agencies;

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 [(f)] (F) That has personnel or human resources functions as one of the position's primary re-
2 sponsibilities;

3 [(g)] (G) In which the person has access to personal information about employees or members
4 of the public including Social Security numbers, dates of birth, driver license numbers, medical in-
5 formation, personal financial information or criminal background information;

6 [(h)] (H) In which the person has access to chemicals or hazardous materials, to facilities in
7 which chemicals and hazardous materials are present or to information regarding the transportation
8 of chemical or hazardous materials;

9 [(i)] (I) In which the person has access to property to which access is restricted in order to
10 protect the health or safety of the public;

11 [(j)] (J) In which the person provides security, design or construction services for government
12 buildings, grounds or facilities; or

13 [(k)] (K) In which the person has access to critical infrastructure or security-sensitive facilities
14 or information.

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