

SB 101-B9  
(LC 510)  
5/26/17 (BLS/ps)

Requested by HOUSE COMMITTEE ON HUMAN SERVICES AND HOUSING

**PROPOSED AMENDMENTS TO  
B-ENGROSSED SENATE BILL 101**

1 On page 1 of the printed B-engrossed bill, delete lines 4 through 23 and  
2 delete page 2 and insert:

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

4 “419B.045. (1) If an investigation of a report of child abuse is conducted  
5 on [*public*] school premises, the school administrator shall first be notified  
6 that the investigation is to take place, unless the school administrator is a  
7 subject of the investigation. **The Department of Human Services or the**  
8 **law enforcement agency conducting the investigation is not required**  
9 **to reveal information about the investigation to the school as a con-**  
10 **dition of conducting the investigation.** The school administrator or a  
11 school staff member designated by the administrator may, at the  
12 investigator’s discretion, be present to facilitate the investigation. The [*De-*  
13 *partment of Human Services or the law enforcement agency making the inves-*  
14 *tigation*] **investigator** shall be advised **by a school administrator or a**  
15 **school staff member** of [*the*] a child’s disabling conditions, if any, prior to  
16 any interview with the [*affected*] child. A school administrator or **school**  
17 **staff member** [*is not authorized to reveal anything that transpires*] **may not**  
18 **notify any person, including a child’s parents or guardian, other than**  
19 **the department or law enforcement agency of an investigation de-**  
20 **scribed in this section and may not disclose any information obtained**  
21 during an investigation [*in which the administrator or staff member partic-*

1 *ipates*], nor shall the information become part of the child’s school records.  
2 The school administrator or **school** staff member may testify at any subse-  
3 quent [*trial resulting from*] **court proceeding relating to** the investigation  
4 and may be interviewed by the respective litigants prior to any [*such trial*]  
5 **court proceeding.**

6 “(2) A school district, school administrator or school staff member  
7 may not be held liable for civil damages as a result of compliance with  
8 the notification and disclosure prohibitions in subsection (1) of this  
9 section.

10 “(3) Subsections (1) and (2) of this section apply solely to an inves-  
11 tigation that involves an interview of the suspected victim in the re-  
12 port of child abuse or witnesses and do not apply to an investigation  
13 or interview of a person who is suspected of having committed the  
14 abuse that is the subject of the report.

15 “SECTION 2. This 2017 Act being necessary for the immediate  
16 preservation of the public peace, health and safety, an emergency is  
17 declared to exist, and this 2017 Act takes effect on its passage.”.

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