

Requested by Senator GELSER

**PROPOSED AMENDMENTS TO
SENATE BILL 244**

1 On page 1 of the printed bill, line 2, after “ORS” insert “418.205 and”.

2 After line 4, insert:

3 **“SECTION 1.** ORS 418.205, as amended by section 1, chapter 106, Oregon
4 Laws 2016, is amended to read:

5 “418.205. As used in ORS 418.205 to 418.327, 418.470, 418.475, 418.950 to
6 418.970 and 418.992 to 418.998, unless the context requires otherwise:

7 “(1) ‘Child’ means an unmarried person under 21 years of age.

8 “(2)(a) ‘Child-caring agency’:

9 “(A) Means any private school, private agency or private organization
10 providing:

11 “(i) Day treatment for children with emotional disturbances;

12 “(ii) Adoption placement services;

13 “(iii) Residential care, including but not limited to foster care or resi-
14 dential treatment for children;

15 “(iv) Residential care in combination with academic education and
16 therapeutic care, including but not limited to treatment for emotional, be-
17 havioral or mental health disturbances;

18 “(v) Outdoor youth programs; or

19 “(vi) Other similar care or services for children.

20 “(B) Includes the following:

21 “(i) A shelter-care home that is not a foster home subject to ORS 418.625

1 to 418.645;

2 “(ii) An independent residence facility as described in ORS 418.475;

3 “(iii) A private residential boarding school; and

4 “(iv) A child-caring facility as defined in ORS 418.950.

5 “(b) ‘Child-caring agency’ does not include:

6 “(A) Residential facilities or foster care homes certified or licensed by the
7 Department of Human Services under ORS 443.400 to 443.455, 443.830 and
8 443.835 for children receiving developmental disability services;

9 “(B) Any private agency or organization facilitating the provision of re-
10 spite services for parents pursuant to a properly executed power of attorney
11 under ORS 109.056. For purposes of this subparagraph, ‘respite services’
12 means the voluntary assumption of short-term care and control of a minor
13 child without compensation or reimbursement of expenses for the purpose
14 of providing a parent in crisis with relief from the demands of ongoing care
15 of the parent’s child;

16 “(C) A youth job development organization as defined in ORS 344.415;

17 “(D) A shelter-care home that is a foster home subject to ORS 418.625 to
18 418.645; or

19 “(E) A foster home subject to ORS 418.625 to 418.645.

20 “(3) ‘Child-caring facility’ has the meaning given that term in ORS
21 418.950.

22 “(4) **‘Governmental agency’ means an executive, legislative or judi-**
23 **cial agency, department, board, commission, authority, institution or**
24 **instrumentality of this state or of a county, municipality or other**
25 **political subdivision of this state.**

26 “[4] (5) ‘Independent residence facility’ has the meaning given that term
27 in ORS 418.475.

28 “[5)(a)] (6)(a) ‘Outdoor youth program’ means a program that provides,
29 in an outdoor living setting, services to children who have behavioral prob-
30 lems, mental health problems or problems with abuse of alcohol or drugs.

1 “(b) ‘Outdoor youth program’ does not include any program, facility or
2 activity:

3 “(A) Operated by a governmental entity;

4 “(B) Operated or affiliated with the Oregon Youth Conservation Corps;

5 “(C) Licensed by the Department of Human Services under other author-
6 ity of the department; or

7 “(D) Operated by a youth job development organization as defined in ORS
8 344.415.

9 “[6] (7) ‘Private’ means not owned, operated or administered by any
10 governmental agency or unit.

11 “[7] (8) ‘Private residential boarding school’ means either of the follow-
12 ing as the context requires:

13 “(a) A child-caring agency that is a private school that provides residen-
14 tial care in combination with academic education and therapeutic care, in-
15 cluding but not limited to treatment for emotional, behavioral or mental
16 health disturbances; or

17 “(b) A private school providing residential care that is primarily engaged
18 in educational work under ORS 418.327.

19 “[8] (9) ‘Proctor foster home’ means a foster home certified by a child-
20 caring agency under section 6, chapter 106, Oregon Laws 2016, that is not
21 subject to ORS 418.625 to 418.645.

22 “[9] (10) ‘Provider of care or services for children’ means a person, en-
23 tity or organization that provides care or services to children, regardless of
24 whether the child is in the custody of the Department of Human Services,
25 and that does not otherwise meet the definition of, or requirements for, a
26 child-caring agency. ‘Provider of care or services for children’ includes a
27 proctor foster home certified by a child-caring agency under section 6,
28 chapter 106, Oregon Laws 2016.

29 “[10] (11) ‘Shelter-care home’ has the meaning given that term in ORS
30 418.470.”

1 In line 5, delete “1” and insert “2”.
2 In line 8, restore the bracketed material.
3 In line 26, restore the bracketed material and delete the boldfaced mate-
4 rial.
5 In line 27, delete the boldfaced material.
6 On page 2, line 6, restore the bracketed material, delete the boldfaced
7 material and delete “or unit”.
8 In line 13, restore the bracketed material and delete the boldfaced mate-
9 rial.
10 In line 15, restore the bracketed material, delete the boldfaced material
11 and delete “or unit”.
12 In line 17, before the period insert “under this subsection and of any
13 conditions placed on the child-caring agency’s license, certificate or author-
14 ization pursuant to ORS 418.240”.
15 In line 18, delete “state” and insert “governmental”.
16 In line 20, restore the bracketed material.
17 In line 29, restore the bracketed material, delete the boldfaced material
18 and delete “or unit”.
19 In line 34, restore the bracketed material.
20 In line 43, delete “2” and insert “3”.
21 On page 3, line 7, restore the bracketed material, delete the boldfaced
22 material and delete “or unit”.
23 On page 4, line 6, delete “3” and insert “4”.
24 In line 20, restore the bracketed material, delete the boldfaced material
25 and delete “or unit”.
26 In line 41, delete “state” and insert “governmental”.
27 On page 5, line 7, restore the bracketed material, delete the boldfaced
28 material and delete “or unit”.
29 In line 23, delete “4” and insert “5”.
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