

Requested by Representative POST

**PROPOSED AMENDMENTS TO  
A-ENGROSSED SENATE BILL 1540**

1 On page 1 of the printed A-engrossed bill, line 2, after “419B.005,” insert  
2 “419B.010,”.

3 On page 2, line 20, delete “12” and insert “14”.

4 On page 3, after line 44, insert:

5 **“SECTION 2.** ORS 419B.010 is amended to read:

6 “419B.010. (1) Any public or private official having reasonable cause to  
7 believe that any child with whom the official comes in contact has suffered  
8 abuse or that any person with whom the official comes in contact has abused  
9 a child shall immediately report or cause a report to be made in the manner  
10 required in ORS 419B.015. Nothing contained in ORS 40.225 to 40.295 or  
11 419B.234 (6) affects the duty to report imposed by this section, except that  
12 a psychiatrist, psychologist, **physician, nurse**, member of the clergy, attor-  
13 ney or guardian ad litem appointed under ORS 419B.231 is not required to  
14 report such information communicated by a person if the communication is  
15 privileged under ORS 40.225 to 40.295 or 419B.234 (6). An attorney is not re-  
16 quired to make a report under this section by reason of information com-  
17 municated to the attorney in the course of representing a client if disclosure  
18 of the information would be detrimental to the client.

19 “(2) Notwithstanding subsection (1) of this section, a report need not be  
20 made under this section if the public or private official acquires information  
21 relating to abuse by reason of a report made under this section, or by reason

1 of a proceeding arising out of a report made under this section, and the  
2 public or private official reasonably believes that the information is already  
3 known by a law enforcement agency or the Department of Human Services.

4 “(3) The duty to report under this section is personal to the public or  
5 private official alone, regardless of whether the official is employed by, a  
6 volunteer of or a representative or agent for any type of entity or organiza-  
7 tion that employs persons or uses persons as volunteers who are public or  
8 private officials in its operations.

9 “(4) The duty to report under this section exists regardless of whether the  
10 entity or organization that employs the public or private official or uses the  
11 official as a volunteer has its own procedures or policies for reporting abuse  
12 internally within the entity or organization.

13 “(5) A person who violates subsection (1) of this section commits a Class  
14 A violation. Prosecution under this subsection shall be commenced at any  
15 time within 18 months after commission of the offense.”.

16 In line 45, delete “2” and insert “3”.

17 On page 4, line 36, delete “3” and insert “4”.

18 On page 7, line 16, delete “4” and insert “5”.

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