

**SB 775 A -7 STAFF MEASURE SUMMARY**

**House Committee On Judiciary**

---

**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 5/14, 5/21

---

**WHAT THE MEASURE DOES:**

Requires any criminal background check conducted by a State agency for purposes of employment be requested from the Department of State Police. Limits liability in a claim against a public body for failure to conduct an adequate criminal records check if the criminal background check was conducted by the Department of State Police.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-7 States that criminal records checks conducted by state agencies shall be conducted through the Department of State Police. States that a criminal records check conduct through the Law Enforcement Data System meets the requirements created by the this measure.

**BACKGROUND:**

An authorized agency or district may conduct a preliminary fitness determination if the agency, district, or qualified entity is hiring or appointing an individual on a preliminary basis, pending a final fitness determination. An entity may request from an authorized agency a criminal records check for purposes of evaluating the fitness of a subject individual as an employee, contractor, or volunteer.

Senate Bill 775 A requires that any State agency requesting a criminal background check for the purposes of determining an employee's fitness must do so through the Oregon State Police.