

**SB 775 A STAFF MEASURE SUMMARY**

**Carrier:** Sen. Dembrow

**Senate Committee On Judiciary**

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**Action Date:** 04/09/19

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 7-0-0-0

**Yeas:** 7 - Bentz, Fagan, Gelser, Linthicum, Manning Jr, Prozanski, Thatcher

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Gillian Fischer, Counsel

**Meeting Dates:** 3/25, 4/4, 4/9

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**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:**

- Does not require fingerprint checks
- Ensure more accurate criminal history information is used to determine employment eligibility
- Provides consistency among state agencies

**EFFECT OF AMENDMENT:**

Limits requirement to only state agencies conducting criminal records check of a person for purposes of employment by the agency.

**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.