

# House Bill 2051

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon State Police)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prohibits disclosure, pursuant to public records request, of contents of reports made through Department of State Police statewide tip line. Authorizes disclosure to tip line staff, service providers, law enforcement and specified education persons for purpose of follow-up contact to provide or obtain further information. Provides that further information may be disclosed only to persons authorized to receive tip line information.

Permits department to disclose aggregated or summary tip line information for reporting and public education purposes.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to the disclosure of tip line information; amending ORS 339.329; and prescribing an effective  
3 date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 339.329 is amended to read:

6 339.329. (1) As used in this section:

7 (a) "Cyberbullying" and "harassment, intimidation or bullying" have the meanings given those  
8 terms in ORS 339.351.

9 (b) "Local law enforcement contact" means a local law enforcement officer designated by the  
10 Department of State Police to be notified when the tip line receives a report of a threat to student  
11 safety or potential threat to student safety.

12 (c) "**Personally identifiable information**" means any information that would permit the  
13 identification of a person who reports information using the tip line, and is not limited to  
14 name, phone number, physical address, electronic mail address, race, gender, sexual orien-  
15 tation, disability designation, religious affiliation, national origin, ethnicity, school of at-  
16 tendance, city, county or any geographic identifier included in information conveyed through  
17 the tip line, or information identifying the machine or device used by the person in making  
18 a report using the tip line.

19 [(c)] (d) "Service provider" means a person designated by the department to be notified when  
20 the tip line receives a report of a threat to student safety or potential threat to student safety.

21 "Service provider" includes:

22 (A) A provider of behavioral health care or mental health care;

23 (B) A provider of school-based health care;

24 (C) A certificated school counselor;

25 (D) A clinical social worker licensed under ORS 675.530; or

26 (E) A professional counselor or a marriage and family therapist licensed under ORS 675.615.

27 [(d)] (e) "Student" means a student of:

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1 (A) A school district, as defined in ORS 332.002;
- 2 (B) A community college, as defined in ORS 341.005;
- 3 (C) A private school that provides educational services to kindergarten through grade 12 stu-
- 4 dents;
- 5 (D) A career school, as defined in ORS 345.010; or
- 6 (E) A public university listed under ORS 352.002.
- 7 [(e)] (f) "Threat to student safety" includes, but is not limited to, a threat or instance of:
- 8 (A) Harassment, intimidation or bullying or cyberbullying;
- 9 (B) Suicide or self-harm; and
- 10 (C) Violence against others.
- 11 [(f)] (g) "Tip line" means a statewide resource designed to accept information concerning threats
- 12 to student safety or potential threats to student safety through methods of transmission including:
- 13 (A) Telephone calls;
- 14 (B) Text messages; and
- 15 (C) Electronically through the Internet.
- 16 (2) The Department of State Police shall establish a statewide tip line for students and other
- 17 members of the public to use to confidentially report information concerning threats to student
- 18 safety or potential threats to student safety.
- 19 (3) In consultation with state and local government behavioral health care providers, the de-
- 20 partment shall adopt rules necessary to establish and operate the tip line. The rules must include,
- 21 but are not limited to:
- 22 (a) Provisions that protect the [identity] **personally identifiable information** of a person re-
- 23 porting information without compromising opportunities for follow-up contact from local law
- 24 enforcement contacts or service providers to provide further information to or obtain further infor-
- 25 mation from the person; and
- 26 (b) Written policies and procedures for:
- 27 (A) Logging reports received on the tip line;
- 28 (B) Verifying the authenticity and validity of a reported threat to student safety or potential
- 29 threat to student safety;
- 30 (C) Relaying information concerning a threat to student safety or potential threat to student
- 31 safety to local law enforcement contacts, service providers and appropriate education provider
- 32 contacts;
- 33 (D) Connecting the tip line with other hotlines that are available for reports of violence or for
- 34 crisis prevention; and
- 35 (E) Reporting for the purposes of tracking referrals to local law enforcement contacts and ser-
- 36 vice providers resulting from information received on the tip line and tracking the outcome of any
- 37 action taken in response to the referral.
- 38 (4) **The contents of tips reported to the tip line may not be disclosed pursuant to a public**
- 39 **records request under ORS 192.311 to 192.478 or otherwise, except that personally identifiable**
- 40 **information and other information reported through the tip line may be disclosed to the**
- 41 **following persons for the purpose of follow-up contact to obtain or provide further informa-**
- 42 **tion:**
- 43 (a) **Tip line staff;**
- 44 (b) **A school district, education service district, community college, private school that**
- 45 **provides educational services to kindergarten through grade 12 students, a career school or**

1 a public university;

2 (c) A service provider; or

3 (d) Law enforcement.

4 (5) Any person authorized to receive tip line information under subsection (4) of this  
5 section must use the information only for the purpose of making follow-up contact to obtain  
6 or provide further information. Any further information obtained through follow-up contact  
7 may be disclosed only to the persons described in subsection (4) of this section.

8 (6) Persons authorized to receive tip line information under subsection (4) of this section  
9 may not disclose to the public the outcomes or actions taken as a result of tip line infor-  
10 mation unless the disclosure is required by a statute other than this section.

11 (7) Notwithstanding subsections (4) to (6) of this section, the department may release  
12 aggregated or summary information for reporting purposes and may provide information  
13 obtained through the tip line for the purpose of educating the public about the tip line, but  
14 may not disclose personally identifiable information under this subsection.

15 [(4)] (8) The department may seek and accept gifts, grants and donations from any source for  
16 the purpose of carrying out its duties under this section.

17 **SECTION 2.** This 2019 Act takes effect on the 91st day after the date on which the 2019  
18 regular session of the Eightieth Legislative Assembly adjourns sine die.

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