

Enrolled
House Bill 2401

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Attorney General Ellen Rosenblum)

CHAPTER

AN ACT

Relating to profiling; creating new provisions; amending ORS 131.930; and declaring an emergency.

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

SECTION 1. ORS 131.930 is amended to read:

131.930. As used in ORS 131.930 to 131.945:

(1) "Law enforcement agency" means an agency employing law enforcement officers to enforce criminal laws.

(2) "Law enforcement officer" means a member of the Oregon State Police, a sheriff or a municipal police officer.

(3) "Officer-initiated pedestrian stop" means a detention of a pedestrian by a law enforcement officer[,] **that is** not associated with a call for service[, *when the detention results in a citation, an arrest or a consensual search of the pedestrian's body or property*]. The term does not apply to detentions for routine searches performed at the point of entry to or exit from a controlled area.

(4) "Officer-initiated traffic stop" means a detention of a driver of a motor vehicle by a law enforcement officer, not associated with a call for service, for the purpose of investigating a suspected violation of the Oregon Vehicle Code.

(5) "Profiling" means the targeting of an individual by a law enforcement agency or a law enforcement officer, on suspicion of the individual's having violated a provision of law, based solely on the individual's real or perceived age, race, ethnicity, color, national origin, language, sex, gender identity, sexual orientation, political affiliation, religion, homelessness or disability, unless the agency or officer is acting on a suspect description or information related to an identified or suspected violation of a provision of law.

(6) "Sexual orientation" has the meaning given that term in ORS 174.100.

SECTION 2. The amendments to ORS 131.930 by section 1 of this 2019 Act apply to pedestrian stops initiated on or after the effective date of this 2019 Act.

SECTION 3. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.

Passed by House March 20, 2019

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 3, 2019

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Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2019

Approved:

.....M,....., 2019

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2019

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Bev Clarno, Secretary of State