

House Bill 3338

Sponsored by Representative HERNANDEZ; Representatives MCLAIN, SANCHEZ, Senators FAGAN, TAYLOR

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 police officers commissioned by public university from carrying firearms as police officers outside of police headquarters if public university is located in city with population exceeding 150,000.

Becomes operative January 1, 2020.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to public university police officers; creating new provisions; amending ORS 352.121; and
3 prescribing an effective date.

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

5 **SECTION 1.** ORS 352.121 is amended to read:

6 352.121. (1) The governing board of a public university listed in ORS 352.002 may authorize the
7 university to establish a police department and commission one or more employees as police officers.
8 A police department established under this section has all of the authority and immunity of a mu-
9 nicipal police department of this state.

10 (2) **Except as provided in subsection (3) of this section**, police officers commissioned under
11 this section:

12 (a) May enforce criminal laws and any administrative rules and policies adopted by the gov-
13 erning board; and

14 (b) Have all the authority and immunity of a peace officer or police officer of this state.

15 (3)(a) **If a public university that establishes a police department and commissions one or**
16 **more employees as police officers is located in a city with a population exceeding 150,000, the**
17 **police officers commissioned by the public university:**

18 (A) **May be authorized to carry firearms as police officers within the police headquarters;**
19 **and**

20 (B) **May not be authorized to carry firearms as police officers outside of the police**
21 **headquarters.**

22 (b) **As used in this subsection, "police headquarters" means the portion of any building**
23 **occupied by a police department established under this section.**

24 [(3)] (4) When a university establishes a police department and commissions one or more em-
25 ployees as police officers, the president of the university, in cooperation with the chief of the police
26 department, shall establish a process by which the university will receive and respond to complaints
27 involving the policies of the police department and the conduct of the police officers.

28 [(4)] (5) The governing board may:

29 (a) Enter into an agreement, or authorize the university under its control to enter into an
30 agreement, with a municipal corporation or any department, agency or political subdivision of this

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 state for the provision of mutual aid by their respective police officers.

2 (b) Adopt standards to carry out the provisions of this section.

3 **SECTION 2. The amendments to ORS 352.121 by section 1 of this 2019 Act become oper-**
4 **ative on January 1, 2020.**

5 **SECTION 3. The governing board of a public university listed in ORS 352.002, a public**
6 **university and a police department established by a public university may take any action**
7 **before the operative date set forth in section 2 of this 2019 Act that is necessary to enable**
8 **the governing board, public university and police department to exercise, on and after the**
9 **operative date set forth in section 2 of this 2019 Act, the duties, functions and powers of the**
10 **governing board, public university and police department pursuant to ORS 352.121, as**
11 **amended by section 1 of this 2019 Act.**

12 **SECTION 4. This 2019 Act takes effect on the 91st day after the date on which the 2019**
13 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

14