

# Senate Bill 135

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## 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**.

Authorizes Health Licensing Office to impose civil penalty on employer of or entity that contracts with behavior analysis professional if employer or entity requires professional to perform certain acts.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

Relating to applied behavior analysis; and prescribing an effective date.

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

**SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS 676.810 to 676.820.**

**SECTION 2. (1) It is unlawful for the employer of or entity contracting with an individual licensed under ORS 676.810 or registered under ORS 676.815 to require the individual to perform an act that is a prohibited act listed in ORS 676.612 or that violates a rule adopted under ORS 676.810 or 676.815.**

**(2)(a) The Health Licensing Office may impose a civil penalty upon the employer or entity in an amount deemed appropriate by the office for each violation of subsection (1) of this section.**

**(b) Moneys collected under this subsection shall be deposited in the Health Licensing Office Account established under ORS 676.625.**

**(3) The office may adopt rules to carry out this section.**

**SECTION 3. Section 2 of this 2019 Act applies to acts performed on or after the operative date specified in section 4 of this 2019 Act.**

**SECTION 4. (1) Section 2 of this 2019 Act becomes operative on January 1, 2020.**

**(2) The Health Licensing Office may take any action before the operative date specified in subsection (1) of this section that is necessary to enable the office to exercise, on and after the operative date specified in subsection (1) of this section, all of the duties, functions and powers conferred on the office by section 2 of this 2019 Act.**

**SECTION 5. This 2019 Act takes effect on the 91st day after the date on which the 2019 regular session of the Eightieth Legislative Assembly adjourns sine die.**

**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.