

Senate Bill 540

Sponsored by Senator RILEY (Pre-session filed.)

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**.

Requires that institutions of higher education report allegations of sexual assault to law enforcement agency.

A BILL FOR AN ACT

1
2 Relating to sexual assault policies at institutions of higher education; creating new provisions; and
3 amending ORS 350.255.

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

5 **SECTION 1.** ORS 350.255 is amended to read:

6 350.255. (1) Each public university listed in ORS 352.002, community college and Oregon-based
7 private university or college shall adopt a written protocol to ensure that victims of sexual assault
8 receive necessary services and assistance in situations where:

9 (a) The alleged victim of the sexual assault is a student at the university or college and the
10 alleged sexual assault occurred on the grounds or at the facilities of the university or college; or

11 (b) The alleged perpetrator of the sexual assault is a student at the university or college, or a
12 member of the faculty or staff of the university or college, regardless of where the alleged sexual
13 assault occurred.

14 (2) A written protocol adopted under subsection (1) of this section **must require that upon**
15 **receipt of an allegation that an incident of sexual assault described in subsection (1) of this**
16 **section has occurred, the university or college shall report the allegation to a law enforce-**
17 **ment agency. The written protocol must also** ensure that each victim who reports a sexual as-
18 sault is provided with a written notification setting forth:

19 (a) The victim's rights;

20 (b) **Information about the process and procedure the law enforcement agency will likely**
21 **follow upon receiving information regarding the allegation of sexual assault;**

22 [(b)] (c) Information about what legal options are available to the victim, including but not
23 limited to:

24 (A) The various civil and criminal options the victim may pursue following an assault; and

25 (B) Any campus-based disciplinary processes the victim may pursue;

26 [(c)] (d) Information about campus-based services available to the victim;

27 [(d)] (e) Information about the victim's privacy rights, including but not limited to information
28 about the limitations of privacy that exist if the victim visits a campus health or counseling center;
29 and

30 [(e)] (f) Information about and contact information for state and community-based services and
31 resources that are available to victims of sexual assault.

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 (3) A written notification provided under subsection (2) of this section must:
2 (a) Be written in plain language that is easy to understand;
3 (b) Use print that is of a color, size and font that allow the notification to be easily read; and
4 (c) Be made available to students:
5 (A) When a sexual assault is reported;
6 (B) During student orientation; and
7 (C) On the Internet website of the university or college.

8 **SECTION 2. The amendments to ORS 350.255 by section 1 of this 2019 Act apply to**
9 **allegations of sexual assault that are made on or after the effective date of this 2019 Act.**

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