

**Enrolled**  
**Senate Bill 804**

Sponsored by COMMITTEE ON HUMAN SERVICES

CHAPTER .....

AN ACT

Relating to cross-reporting of child abuse; amending ORS 419B.015 and 419B.017; and declaring an emergency.

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

**SECTION 1.** ORS 419B.015 is amended to read:

419B.015. (1)(a) A person making a report of child abuse, whether the report is made voluntarily or is required by ORS 419B.010, shall make an oral report by telephone or otherwise to the local office of the Department of Human Services, to the designee of the department or to a law enforcement agency within the county where the person making the report is located at the time of the contact. The report shall contain, if known, the names and addresses of the child and the parents of the child or other persons responsible for care of the child, the child's age, the nature and extent of the abuse, including any evidence of previous abuse, the explanation given for the abuse and any other information that the person making the report believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator.

(b)(A) When a report of **alleged** child abuse is received by the department, the department shall notify a law enforcement agency within the county where the *[report was made]* **alleged abuse occurred or, if that county is unknown, the county where the child resides or, if that county is unknown, the county where the reporter came into contact with the child or the alleged perpetrator of the abuse.**

(B) When a report of **alleged** child abuse is received by a designee of the department, the designee shall notify, according to the contract, either the department or a law enforcement agency within the county where the *[report was made]* **alleged abuse occurred or, if that county is unknown, the county where the child resides or, if that county is unknown, the county where the reporter came into contact with the child or the alleged perpetrator of the abuse.**

(C) When a report of **alleged** child abuse is received by a law enforcement agency, the agency shall notify *[the local office of]* the department *[within the county where the report was made]* **by making a report of the alleged child abuse to the child abuse reporting hotline.**

(c) When a report of **alleged** child abuse is received by the department or by a law enforcement agency, the department or law enforcement agency, or both, may collect information concerning the military status of the parent or guardian of the child who is the subject of the report and may share the information with the appropriate military authorities. Disclosure of information under this paragraph is subject to ORS 419B.035 (7).

(2) When a report of **alleged** child abuse is received under subsection (1)(a) of this section, the entity receiving the report shall make the notification required by subsection (1)(b) of this section according to rules adopted by the department under ORS 419B.017.

(3)(a) When a report alleging that a child or ward in substitute care may have been subjected to abuse is received by the department, the department shall notify the attorney for the child or ward, the child's or ward's court appointed special advocate, the parents of the child or ward and any attorney representing a parent of the child or ward that a report has been received.

(b) The name and address of and other identifying information about the person who made the report may not be disclosed under this subsection. Any person or entity to whom notification is made under this subsection may not release any information not authorized by this subsection.

(c) The department shall make the notification required by this subsection within three business days of receiving the report of **alleged child** abuse.

(d) Notwithstanding the obligation imposed by this subsection, the department is not required under this subsection to notify the parent or parent's attorney that a report of **alleged child** abuse has been received if the notification may interfere with an investigation or assessment or jeopardize the child's or ward's safety.

**SECTION 2.** ORS 419B.017 is amended to read:

419B.017. (1) The Department of Human Services shall adopt rules establishing:

(a) The time within which the notification required by ORS 419B.015 [(1)(a)] **(1)(b)** must be made. At a minimum, the rules shall:

(A) Establish which reports of child abuse require notification within 24 hours after receipt;

(B) Provide that all other reports of child abuse require notification within 10 days after receipt; and

(C) Establish criteria that enable the department, the designee of the department or a law enforcement agency to quickly and easily identify reports that require notification within 24 hours after receipt.

(b) How the notification is to be made.

(2) The department shall appoint an advisory committee to advise the department in adopting rules required by this section. The department shall include as members of the advisory committee representatives of law enforcement agencies and multidisciplinary teams formed pursuant to ORS 418.747 and other interested parties.

[(3) *In adopting rules required by this section, the department shall balance the need for providing other entities with the information contained in a report received under ORS 419B.015 with the resources required to make the notification.*]

[(4)] **(3)** The department may recommend practices and procedures to local law enforcement agencies to meet the requirements of rules adopted under this section.

**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 Senate March 28, 2019**

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Lori L. Brocker, Secretary of Senate

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Peter Courtney, President of Senate

**Passed by House May 16, 2019**

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Tina Kotek, Speaker of House

**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