

Senate Bill 955

Sponsored by Senator THATCHER; Senators BAERTSCHIGER JR, GIROD, HANSELL, HEARD, KNOPP, OLSEN, THOMSEN

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**.

Allows public body to disclose to federal immigration authority information about person convicted of violent crime.

A BILL FOR AN ACT

1
2 Relating to the involvement of public bodies in immigration enforcement; amending ORS 180.805.

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

4 **SECTION 1.** ORS 180.805 is amended to read:

5 180.805. (1) Except as required by state or federal law **or as allowed under subsection (6) of**
6 **this section**, a public body may not disclose, for the purpose of enforcement of federal immigration
7 laws, the following information concerning any person, whether current or otherwise:

8 (a) The person's address;

9 (b) The person's workplace or hours of work;

10 (c) The person's school or school hours;

11 (d) The person's contact information, including telephone number, electronic mail address or
12 social media account information;

13 (e) The identity of known associates or relatives of the person;

14 (f) The date, time or location of the person's hearings, proceedings or appointments with the
15 public body that are not matters of public record; or

16 (g) Information described in paragraphs (a) through (f) of this subsection with respect to known
17 relatives or associates of the person.

18 (2) Except as required by state or federal law, or as necessary to determine eligibility for a
19 benefit a person is seeking, a public body may not inquire about or request information concerning
20 a person's citizenship or immigration status.

21 (3)(a) If a public body collects information concerning a person's citizenship or immigration
22 status, the public body may decline to disclose the information unless disclosure is required by:

23 (A) State or federal law;

24 (B) A court order; or

25 (C) A warrant authorized by a court.

26 (b) Nothing in this subsection:

27 (A) Prevents a person from obtaining records about the person or the person's dependents from
28 a public body; or

29 (B) Authorizes a public body to withhold aggregated information that is not personally identifi-
30 able.

31 (4) A public body shall, within six months of August 15, 2017, and every year thereafter, review

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 the public body’s confidentiality policies to ensure that the public body treats information concern-
 2 ing a person’s citizenship or immigration status, and information described in subsection (1) of this
 3 section, in a manner consistent with this section and ORS 180.810.

4 (5) Nothing in this section prohibits any public body from complying with a federal immigration
 5 authority as required by federal law.

6 **(6) A public body may disclose, for the purpose of enforcement of federal immigration**
 7 **laws, the information described in subsection (1) of this section to a federal immigration**
 8 **authority if the person is convicted of a violent crime.**

9 [(6)] (7) As used in this section:

10 (a) “Federal immigration authority” means the United States Department of Homeland Security,
 11 the United States Immigration and Customs Enforcement, the United States Citizenship and Immi-
 12 gration Services or a successor agency, any other federal immigration agency or official, or any
 13 other entity to which a federal immigration agency delegates or assigns the authority to detect, in-
 14 vestigate or enforce violations of immigration law.

15 (b) “Information concerning a person’s citizenship or immigration status” means information
 16 about whether a person is a citizen of the United States or has lawful authority to be present in the
 17 United States, either through a visa, a green card or another official documentation. The term does
 18 not include information consisting of a person’s address, location, contact information, relatives,
 19 associates or other information that could lead to the detection or apprehension of the person.

20 (c) “Public body” has the meaning given that term in ORS 174.109.

21 (d) “Social media” has the meaning given that term in ORS 659A.330.

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