

Requested by Representative SPRENGER

**PROPOSED AMENDMENTS TO  
HOUSE BILL 3377**

1 In line 2 of the printed bill, after “branch” insert “; and declaring an  
2 emergency”.

3 Delete lines 4 and 5 and insert:

4 **“SECTION 1. Section 2 of this 2019 Act is added to and made a part  
5 of ORS 40.225 to 40.295.**

6 **“SECTION 2. (1) As used in this section:**

7 **“(a) ‘Confidential communication’ means a communication between  
8 the harassment advisor and an individual reporting information or  
9 seeking consultative services from the advisor.**

10 **“(b) ‘Harassment’ has the meaning given that term in legislative  
11 branch personnel rules that establish a standard of conduct that ap-  
12 plies to legislators and legislative staff.**

13 **“(c) ‘Harassment advisor’ or ‘advisor’ means the individual ap-  
14 pointed to the position described in House Concurrent Resolution 20  
15 (2019) (as amended by HCR 20-9 amendments).**

16 **“(d) ‘Legislative branch’ means the legislative department, as de-  
17 fined in ORS 174.114.**

18 **“(2) A person who reports information to the harassment advisor  
19 that concerns harassment in the State Capitol that the person has  
20 experienced or witnessed has a privilege to refuse to disclose and to  
21 prevent any other person from disclosing:**

1       “(a) Confidential communication to or from the advisor or an out-  
2 side investigator acting at the request of the advisor; and

3       “(b) Records that are created or maintained by the advisor or out-  
4 side investigator in the course of reporting information that concerns  
5 harassment in the State Capitol.

6       “(3) A person who consults with the harassment advisor for the  
7 purpose of understanding what options are available for reporting  
8 harassment or filing a harassment complaint, or for discussing  
9 whether described conduct is harassment, has a privilege to refuse to  
10 disclose and to prevent any other person from disclosing:

11       “(a) Confidential communication to or from the advisor; and

12       “(b) Records that are created or maintained by the advisor in the  
13 course of providing counsel or services to the person.

14       “(4) This section does not prohibit the disclosure of:

15       “(a) Any information if the harassment advisor reasonably believes  
16 that the disclosure is necessary to prevent immediate physical harm  
17 or other harm described in ORS 40.252; or

18       “(b) Aggregate, nonpersonally identifying data.

19       “(5) This section applies to civil, criminal and administrative pro-  
20 ceedings and to legislative branch disciplinary proceedings.

21       “SECTION 3. Section 4 of this 2019 Act is added to and made a part  
22 of ORS 192.311 to 192.478.

23       “SECTION 4. (1) Records created by the legislative branch  
24 harassment advisor or an outside investigator acting at the request  
25 of the advisor in the course of receiving reports or complaints under  
26 legislative branch personnel rules or conducting investigations under  
27 those rules are exempt from required disclosure under ORS 192.311 to  
28 192.478 and shall be maintained confidentially by the advisor.

29       “(2) As used in this section, ‘harassment advisor’ has the meaning  
30 given that term in section 2 of this 2019 Act.

