

Requested by JOINT COMMITTEE ON WAYS AND MEANS

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 994
(INCLUDING AMENDMENTS TO RESOLVE CONFLICTS)**

1 On page 1 of the printed A-engrossed bill, delete lines 4 through 20 and
2 insert:

3 **“SECTION 1.** ORS 419B.165, as amended by section 10, chapter ____,
4 Oregon Laws 2019 (Enrolled Senate Bill 924), is amended to read:

5 “419B.165. (1) **Subject to subsection (2) of this section,** the person
6 taking the child into protective custody shall release the child to the [*pro-*
7 *tective*] custody of the child’s parent or other responsible person in this state,
8 except in the following cases:

9 “[*(1)*] (a) Where the court has issued an order directing that the child be
10 taken into protective custody.

11 “[*(2)*] (b) Where the person taking the child into protective custody has
12 probable cause to believe that the welfare of the child or others may be im-
13 mediately endangered by the release of the child.

14 **“(2)(a) Prior to releasing a child to the custody of the child’s non-**
15 **custodial parent, a person who has taken a child into protective cus-**
16 **tody shall request the Department of Human Services to conduct a**
17 **criminal records check on:**

18 **“(A) The noncustodial parent; and**

19 **“(B) All adults in the same home as the noncustodial parent.**

20 **“(b) The department shall conduct a criminal records check under**

1 **ORS 181A.200 (3) based on a request received under paragraph (a) of**
2 **this subsection.**

3 **“(c) The department shall adopt rules consistent with this sub-**
4 **section and the requirements of the Department of State Police for**
5 **use of the Law Enforcement Data System.”.**

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