

HB 2126 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Channa Newell, Counsel

Meeting Dates: 2/2

WHAT THE MEASURE DOES:

Requires applicants for private investigator license to undergo fingerprinting for the purposes of state or national criminal records check. Extends civil liability protection to Department of Public Safety Standards and Training (DPSST) and employees who refuse to issue a license to an applicant based on information received in criminal records check. Provides protection from actions based on employment-related decisions, defamation, or invasion of privacy when DPSST or an employee acting within the scope of employment makes a decision or lawfully shares information found in the criminal records check. Transfers specific requirements of application for private investigator's license from statute to DPSST rule.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Department of Public Safety Standards and Training (DPSST) is responsible for training and licensure of private investigators in Oregon. Currently, DPSST requires applicants for private investigator licenses to submit to fingerprinting and background check requirements in rule.

House Bill 2126 specifically requires fingerprinting for the purposes of national or state criminal records checks for applicants for private investigator licenses. The measure also provides a range of civil liability protections for DPSST and its employees who make decisions or lawfully provide information from a background check. HB 2126 removes the statutory provisions of the private investigator's application and authorized DPSST to prescribe the form for the application.