

House Bill 2486

Sponsored by Representatives POWER, FAHEY (at the request of Society of Professional Journalists) (Pre-session filed.)

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**.

Requires, on or after October 1, 2021, officials of public bodies to grant news media representatives access to scenes of emergencies or emergency police activity that are otherwise closed to public. Provides exceptions when access may be denied.

Directs Department of State Police to develop guidelines for press credentialing, when circumstances warrant denial of access, when news media representatives may be required to use personal protective equipment and for conducting safety briefings.

Requires department to consult with local law enforcement and fire department personnel, representatives of local governing bodies and representatives of news media organizations in developing guidelines.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to access to emergencies; and declaring an emergency.

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

4 **SECTION 1. (1) Notwithstanding the provisions of any law, rule, ordinance, policy or order to the contrary, any official of a public body, as defined in ORS 174.109, must grant credentialed or documented representatives of news media organizations access to scenes of emergencies or emergency police activity that are otherwise closed to the public.**

8 **(2) Access to scenes of emergencies or emergency police activity may be denied if the presence of news media representatives or the activities being conducted by new media representatives compromise the safety of emergency response employees, impede the response of emergency equipment or personnel or impede the investigation of the incident that constitutes the scene of emergency or emergency police activity.**

13 **(3) In compliance with guidelines for recognition of news media representatives established under section 2 of this 2021 Act, an official of a public body may request news media representatives to present press credentials or other documentation verifying their status as news media representatives before granting access to scenes of emergencies or emergency police activity.**

18 **(4) Except as described in subsection (2) of this section, credentialed or documented news media representatives may not be denied access to scenes of emergencies or emergency police activity if incident personnel are not able to provide an escort for the news media representatives.**

22 **(5) For purposes of this section, a scene of emergency or emergency police activity includes, but is not limited to, a fire, flood, earthquake, explosion, accident or crime scene.**

26 **(6) Nothing in this section alters the applicability of Federal Aviation Administration regulations that govern the closure or restriction of airspace over incidents.**

SECTION 2. (1) The Department of State Police shall develop the following guidelines for

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 **implementing section 1 of this 2021 Act:**

2 (a) **Press credentialing and documentation establishing that individuals are news media**
3 **representatives;**

4 (b) **When circumstances warrant denial of access on grounds of compromising the safety**
5 **of emergency response employees, impeding the response of emergency equipment or per-**
6 **sonnel or impeding the investigation of the incident that constitutes the scene of emergency**
7 **or emergency police activity;**

8 (c) **When public bodies, as defined in ORS 174.109, may require news media represen-**
9 **tatives to use personal protective equipment, and circumstances when particular types of**
10 **personal protective equipment may be required; and**

11 (d) **When public bodies should conduct safety briefings for representatives of the news**
12 **media and the recommended content of safety briefings.**

13 (2) **The department shall consult with local law enforcement and local fire department**
14 **personnel, representatives of local governing bodies and representatives of news media or-**
15 **ganizations in developing guidelines under this section.**

16 (3) **The department shall ensure that adopted guidelines are broadly disseminated to state**
17 **and local public bodies and officials.**

18 **SECTION 3. Section 1 of this 2021 Act becomes operative October 1, 2021.**

19 **SECTION 4. This 2021 Act being necessary for the immediate preservation of the public**
20 **peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect**
21 **on its passage.**

22