

House Bill 2546

Sponsored by Representative NERON; Representative WILDE (Presession 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**.

Allows person to bring action to compel compliance related to school sexual harassment policies.

Declares emergency, effective July 1, 2021.

A BILL FOR AN ACT

1
2 Relating to school sexual harassment policies; creating new provisions; amending ORS 342.708; and
3 declaring an emergency.

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

5 **SECTION 1.** ORS 342.708 is amended to read:

6 342.708. (1) Nothing in **subsection (2) of this section** or ORS 342.700 and 342.704 is intended
7 to limit or operate as a prerequisite to pursuing any rights or remedies provided under other stat-
8 utes or the common law.

9 **(2) A person may bring an action for an injunction compelling a district to comply with**
10 **the provisions of ORS 342.704. For an action brought under this subsection, a court may**
11 **enter an order compelling compliance and may award reasonable attorney fees and costs to**
12 **the person who brought the action if that person is the prevailing party.**

13 **SECTION 2.** (1) The amendments to ORS 342.708 by section 1 of this 2021 Act apply to
14 complaints filed under ORS 342.704 on or after the effective date of this 2021 Act.

15 **(2) Notwithstanding subsection (1) of this section, for any complaints initiated under ORS**
16 **342.704 less than two years before the effective date of this 2021 Act:**

17 **(a) The district shall make a good faith effort to comply with the provisions of ORS**
18 **342.704; and**

19 **(b) A person may bring an action as described in ORS 342.708 if the district fails to make**
20 **the good faith effort required under paragraph (a) of this subsection within two years of the**
21 **initiation of a complaint under ORS 342.704.**

22 **SECTION 3.** This 2021 Act being necessary for the immediate preservation of the public
23 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
24 July 1, 2021.

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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.