

Enrolled Senate Bill 204

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CHAPTER

AN ACT

Relating to criminal justice agencies; amending ORS 181A.010.

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

SECTION 1. ORS 181A.010 is amended to read:

181A.010. As used in ORS 181A.010 to 181A.350, unless the context requires otherwise:

(1) "Criminal justice agency" means:

(a) The Governor;

(b) Courts of criminal jurisdiction;

(c) The Attorney General;

(d) District attorneys, city attorneys with criminal prosecutorial functions, attorney employees of the office of public defense services and nonprofit public defender organizations established under contract with the Public Defense Services Commission;

(e) Law enforcement agencies;

(f) The Department of Corrections;

(g) The Oregon Youth Authority;

(h) The State Board of Parole and Post-Prison Supervision;

(i) The Department of Public Safety Standards and Training;

(j) The enforcement division of the Oregon Liquor Control Commission in performing duties related to investigating and enforcing the criminal laws of this state that the commission is charged to enforce;

(k) Civilian or community oversight boards, agencies or review bodies designated by a municipality or a law enforcement agency in performing duties related to investigating allegations of officer misconduct or reviewing police policies and practices;

~~[(k)]~~ **(L)** Regional information systems that share programs to track, identify and remove cross-jurisdictional criminal and terrorist conspiracies; and

~~[(L)]~~ **(m)** Any other state or local agency with law enforcement authority.

(2) "Criminal offender information" includes records and related data as to physical description and vital statistics, fingerprints received and compiled for purposes of identifying criminal offenders and alleged offenders, records of arrests and the nature and disposition of criminal charges, including sentencing, confinement, parole and release.

(3) "Department" means the Department of State Police established under ORS 181A.015.

(4) "Deputy superintendent" means the Deputy Superintendent of State Police appointed under ORS 181A.035.

(5) "Designated agency" means any state, county or municipal government agency where Oregon criminal offender information is required to implement a federal or state statute, executive order or administrative rule that expressly refers to criminal conduct and contains requirements or exclusions expressly based on such conduct or for agency employment purposes, licensing purposes or other demonstrated and legitimate needs when designated by order of the Governor.

(6) "Disposition report" means a form or process prescribed or furnished by the department, containing a description of the ultimate action taken subsequent to an arrest.

(7) "Law enforcement agency" means:

(a) County sheriffs, municipal police departments, police departments established by a university under ORS 352.121 or 353.125 and state police;

(b) Other police officers of this state or another state, including humane special agents as defined in ORS 181A.345;

(c) A tribal government as defined in ORS 181A.680 that employs authorized tribal police officers as defined in ORS 181A.680; and

(d) Law enforcement agencies of the federal government.

(8) "State police" means the sworn members of the state police force appointed under ORS 181A.050.

(9) "Superintendent" means the Superintendent of State Police appointed under ORS 181A.030.

Passed by Senate April 7, 2021

Received by Governor:

Repassed by Senate June 16, 2021

.....M.,....., 2021

Approved:

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Lori L. Brocke, Secretary of Senate

.....M.,....., 2021

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Peter Courtney, President of Senate

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Kate Brown, Governor

Passed by House June 14, 2021

Filed in Office of Secretary of State:

.....M.,....., 2021

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Tina Kotek, Speaker of House

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Shemia Fagan, Secretary of State