

SB 41-1
(LC 435)
2/8/21 (MNJ/ps)

Requested by SENATE COMMITTEE ON EDUCATION

**PROPOSED AMENDMENTS TO
SENATE BILL 41**

1 In line 2 of the printed bill, after the semicolon insert “amending ORS
2 181A.355;”.

3 Delete lines 5 through 20 and insert:

4 **“SECTION 1.** ORS 181A.355 is amended to read:

5 “181A.355. As used in ORS 181A.355 to 181A.670, unless the context re-
6 quires otherwise:

7 “(1) ‘Abuse’ has the meaning given that term in ORS 107.705.

8 “(2) ‘Board’ means the Board on Public Safety Standards and Training
9 appointed pursuant to ORS 181A.360.

10 “(3) ‘Certified reserve officer’ means a reserve officer who has been des-
11 ignated by a local law enforcement unit, has received training necessary for
12 certification and has met the minimum standards and training requirements
13 established under ORS 181A.410.

14 “(4) ‘Commissioned’ means being authorized to perform various acts or
15 duties of a police officer, certified reserve officer or reserve officer and act-
16 ing under the supervision and responsibility of a county sheriff or as other-
17 wise provided by law.

18 “(5) ‘Corrections officer’ means an officer or member employed full-time
19 by a law enforcement unit who:

20 “(a) Is charged with and primarily performs the duty of custody, control
21 or supervision of individuals convicted of or arrested for a criminal offense

1 and confined in a place of incarceration or detention other than a place used
2 exclusively for incarceration or detention of juveniles; or

3 “(b) Has been certified as a corrections officer described in paragraph (a)
4 of this subsection and has supervisory or management authority for cor-
5 rections officers described in paragraph (a) of this subsection.

6 “(6) ‘Department’ means the Department of Public Safety Standards and
7 Training.

8 “(7) ‘Director’ means the Director of the Department of Public Safety
9 Standards and Training.

10 “(8) ‘Domestic violence’ means abuse between family or household mem-
11 bers.

12 “(9) ‘Emergency medical dispatcher’ means a person who has responsibil-
13 ity to process requests for medical assistance from the public or to dispatch
14 medical care providers.

15 “(10) ‘Family or household members’ has the meaning given that term in
16 ORS 107.705.

17 “(11) ‘Fire service professional’ means a paid or volunteer firefighter, an
18 officer or a member of a public or private fire protection agency that is en-
19 gaged primarily in fire investigation, fire prevention, fire safety, fire control
20 or fire suppression or providing emergency medical services, light and heavy
21 rescue services, search and rescue services or hazardous materials incident
22 response. ‘Fire service professional’ does not mean forest fire protection
23 agency personnel.

24 “(12) ‘Law enforcement unit’ means:

25 “(a) A police force or organization of the state, a city, university that has
26 established a police department under ORS 352.121 or 353.125, port, school
27 district, mass transit district, county, county service district authorized to
28 provide law enforcement services under ORS 451.010, tribal government as
29 defined in ORS 181A.680 that employs authorized tribal police officers as
30 defined in ORS 181A.680, the Criminal Justice Division of the Department

1 of Justice, the Department of Corrections, the Oregon State Lottery Com-
2 mission, the Security and Emergency Preparedness Office of the Judicial
3 Department or common carrier railroad the primary duty of which, as pre-
4 scribed by law, ordinance or directive, is one or more of the following:

5 “(A) Detecting crime and enforcing the criminal laws of this state or laws
6 or ordinances relating to airport security;

7 “(B) The custody, control or supervision of individuals convicted of or
8 arrested for a criminal offense and confined to a place of incarceration or
9 detention other than a place used exclusively for incarceration or detention
10 of juveniles; or

11 “(C) The control, supervision and reformation of adult offenders placed
12 on parole or sentenced to probation and investigation of adult offenders on
13 parole or probation or being considered for parole or probation;

14 “(b) A police force or organization of a private entity with a population
15 of more than 1,000 residents in an unincorporated area the employees of
16 which are commissioned by a county sheriff;

17 “(c) A district attorney’s office;

18 “(d) The Oregon Liquor Control Commission with regard to regulatory
19 specialists; or

20 “(e) A humane investigation agency as defined in ORS 181A.340.

21 “(13) ‘Parole and probation officer’ means:

22 “(a) An officer who is employed full-time by the Department of Cor-
23 rections, a county or a court and who is charged with and performs the duty
24 of:

25 “(A) Community protection by controlling, investigating, supervising and
26 providing or making referrals to reformatory services for adult parolees or
27 probationers or offenders on post-prison supervision; or

28 “(B) Investigating adult offenders on parole or probation or being con-
29 sidered for parole or probation; [*or*]

30 “(b) An officer who:

1 “(A) Is certified and has been employed as a full-time parole and pro-
2 bation officer for more than one year;

3 “(B) Is employed part-time by the Department of Corrections, a county
4 or a court; and

5 “(C) Is charged with and performs the duty of:

6 “(i) Community protection by controlling, investigating, supervising and
7 providing or making referrals to reformatory services for adult parolees or
8 probationers or offenders on post-prison supervision; or

9 “(ii) Investigating adult offenders on parole or probation or being con-
10 sidered for parole or probation; **or**

11 **“(c) An officer who is certified as a parole and probation officer and**
12 **is employed full-time by the Board of Parole & Post-Prison**
13 **Supervision.**

14 “(14) ‘Police officer’ means:

15 “(a) An officer, member or employee of a law enforcement unit employed
16 full-time as a peace officer who is:

17 “(A) Commissioned by a city, port, school district, mass transit district,
18 county, county service district authorized to provide law enforcement ser-
19 vices under ORS 451.010, tribal government as defined in ORS 181A.680, the
20 Criminal Justice Division of the Department of Justice, the Oregon State
21 Lottery Commission, a university that has established a police department
22 under ORS 352.121 or 353.125, the Governor or the Department of State Po-
23 lice; and

24 “(B) Responsible for enforcing the criminal laws of this state or laws or
25 ordinances relating to airport security;

26 “(b) An investigator of a district attorney’s office if the investigator is
27 or has been certified as a peace officer in this or another state;

28 “(c) A humane special agent commissioned under ORS 181A.340;

29 “(d) A judicial marshal appointed under ORS 1.177 who is trained pursu-
30 ant to ORS 181A.540; or

1 “(e) An authorized tribal police officer as defined in ORS 181A.680.

2 “(15) ‘Public or private safety agency’ means a unit of state or local
3 government, a special purpose district or a private firm that provides, or has
4 authority to provide, fire fighting, police, ambulance or emergency medical
5 services.

6 “(16) ‘Public safety personnel’ and ‘public safety officer’ include cor-
7 rections officers, youth correction officers, emergency medical dispatchers,
8 parole and probation officers, police officers, certified reserve officers, re-
9 serve officers, telecommunicators, regulatory specialists and fire service
10 professionals.

11 “(17) ‘Regulatory specialist’ has the meaning given that term in ORS
12 471.001.

13 “(18) ‘Reserve officer’ means an officer or member of a law enforcement
14 unit who is:

15 “(a) A volunteer or employed less than full-time as a peace officer com-
16 missioned by a city, port, school district, mass transit district, county,
17 county service district authorized to provide law enforcement services under
18 ORS 451.010, tribal government as defined in ORS 181A.680, the Criminal
19 Justice Division of the Department of Justice, the Oregon State Lottery
20 Commission, a university that has established a police department under
21 ORS 352.121 or 353.125, the Governor or the Department of State Police;

22 “(b) Armed with a firearm; and

23 “(c) Responsible for enforcing the criminal laws and traffic laws of this
24 state or laws or ordinances relating to airport security.

25 “(19) ‘Telecommunicator’ means a person employed as an emergency
26 communications worker as defined in ORS 243.736 or a public safety dis-
27 patcher whose primary duties are receiving, processing and transmitting
28 public safety information received through the emergency communications
29 system as defined in ORS 403.105.

30 “(20) ‘Youth correction officer’ means an employee of the Oregon Youth

1 Authority who is charged with and primarily performs the duty of custody,
2 control or supervision of youth offenders confined in a youth correction fa-
3 cility.

4 **“SECTION 2. This 2021 Act being necessary for the immediate**
5 **preservation of the public peace, health and safety, an emergency is**
6 **declared to exist, and this 2021 Act takes effect on its passage.”.**

7
