

SB 1512 A STAFF MEASURE SUMMARY

Carrier: Sen. Dembrow

**Senate Committee On Judiciary and Ballot Measure 110
Implementation****Action Date:** 02/14/22**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 4-3-0-0**Yeas:** 4 - Dembrow, Gelser Blouin, Manning Jr, Prozanski**Nays:** 3 - Heard, Linthicum, Thatcher**Fiscal:** Fiscal impact issued**Revenue:** Has minimal revenue impact**Prepared By:** Gillian Fischer, LPRO Analyst**Meeting Dates:** 2/7, 2/14**WHAT THE MEASURE DOES:**

Restricts consideration of criminal convictions to deny, suspend or revoke an occupational or professional license unless the conviction is substantially related to the duties of the occupation or profession; provides criteria for the licensing body to determine whether a substantial relationship exists. Excludes certain employers with conflicting federal requirements. Limits consideration of juvenile adjudications to solely qualifying juvenile adjudications.

Defines qualifying juvenile adjudications. Provides access to certain juvenile adjudication records to entities authorized or required to consider an applicant's criminal history. Exempts certain agencies and law enforcement entities from restrictions. Allows district attorneys to view certain juvenile case information and allows information to be provided to a victim. Allows specified agencies to share certain juvenile case information.

Establishes a process for requesting a determination of whether a potential applicant's criminal conviction will result in denial of a license.

Prohibits employer inquiries into juvenile court records, except for those employers, agencies or licensing boards explicitly authorized by law to consider juvenile case history or the case history relates to juvenile adjudications for crimes listed in ORS 137.707(4). Bars the use of juvenile court records to disqualify a person from public office, or from an occupation, profession or other lawful activity unless otherwise authorized by law. Gives a crime victim access to certain juvenile case information; removes permission to disclose the information to the general public.

ISSUES DISCUSSED:

- Barriers to employment after criminal conviction
- Criteria for establishing substantial relationship to occupational duties
- Work group process
- Benefit of licensing eligibility determination before investing in educational prerequisites
- Post prison reentry into society

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

The Council of State Governments (CSG) Justice Center conducted a comprehensive assessment of employment/licensing-related barriers in Oregon to identify opportunities to reduce barriers while maintaining public safety. CSG reported that while Oregon has established foundational statutory best practices, such as Fair Chance Licensing and Fair Chance Hiring laws, legislative carve outs, vague language and a lack of comprehensiveness undermine these best practices and create legal barriers to school and work for Oregonians with a juvenile and/or adult criminal record.

SB 1512 A STAFF MEASURE SUMMARY

Senate Bill 1512 A restricts how occupational or professional licensing boards may consider criminal convictions of an applicant and establishes a process for requesting a determination of whether a person's criminal conviction would result in the denial of a license. The measure also prohibits inquiries into juvenile court records except for certain employers, agencies or licensing boards explicitly authorized to do so.