

HB 3443 A STAFF MEASURE SUMMARY**Carrier:** Rep. Pham K**House Committee On Judiciary****Action Date:** 03/27/23**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 7-3-0-0**Yeas:** 7 - Andersen, Bynum, Chaichi, Conrad, Kropf, Reynolds, Tran**Nays:** 3 - Lewis, Morgan, Wallan**Fiscal:** Has minimal fiscal impact**Revenue:** Has minimal revenue impact**Prepared By:** Lucy Ohlsen, LPRO Analyst**Meeting Dates:** 3/20, 3/27**WHAT THE MEASURE DOES:**

Modifies definition of confidentiality for purposes of data collected by the Oregon Department of Justice's (DOJ) Bias Response Hotline. Makes victims of bias crimes and incidents eligible for DOJ's Address Confidentiality Program and protected leave from work. Provides victims of all felony bias crimes the right to be consulted during plea negotiations. Requires imposition of mandatory no contact order at time of booking, release, or arraignment of a defendant accused of a bias crime. Directs DOJ to develop and deliver district attorney victim assistance training program. Makes DOJ personnel who staff hate crimes hotline eligible for home address confidentiality in Department of Motor Vehicle records. Defines relevant terms. Adds protections for victims of bias crime to other classes protected in Oregon's landlord tenant laws. Provides that victims of bias crime are not responsible for damage that results from bias crime or conduct by a perpetrator relating to a bias crime. Permits landlord to terminate rental agreement of tenant who is perpetrator of bias crime. Prohibits landlord from discriminating against a tenant because the tenant is a victim of bias crime. Requires landlord to promptly change the locks upon notice and request by tenant who is victim of bias crime. Makes conforming amendments. Prohibits initiation of mediation for disputes involving allegations of bias crime unless initiated by victim.

ISSUES DISCUSSED:

- Data collected from hotline
- Need for expansion of hotline and resources available to bias crime victims
- Bias crimes and incidents in schools

EFFECT OF AMENDMENT:

Replaces sections of measure related to landlord tenant law. Defines relevant terms. Adds protections for victims of bias crime to other classes protected in Oregon's landlord tenant laws. Provides that victims of bias crime are not responsible for damage that results from bias crime or conduct by a perpetrator relating to a bias crime. Permits landlord to terminate rental agreement of tenant who is perpetrator of bias crime. Prohibits landlord from discriminating against a tenant because the tenant is a victim of bias crime. Requires landlord to promptly change the locks upon notice and request by tenant who is victim of bias crime. Makes conforming amendments. Prohibits initiation of mediation for disputes involving allegations of bias crime unless initiated by victim.

BACKGROUND:

In 2019, the Legislative Assembly passed Senate Bill 577, which modified Oregon's bias crime laws and included the creation of a statewide hotline for victims of bias crime incidents to connect with advocates who provide support, referrals, and systems navigation. In 2021, the Legislative Assembly increased funding for the hotline and related services. Reports to the hotline have continued to increase since its implementation.

HB 3443 A STAFF MEASURE SUMMARY

House Bill 3443 A makes a number of changes to the bias crime laws and aspects of the reporting hotline. The measure expands the confidentiality of reports. It makes victims of bias crimes and incidents eligible for the Department of Justice's (DOJ) Address Confidentiality Program and eligible for protected leave from work. The measure expands certain rights for victims of bias crimes, including several protections in Oregon's landlord tenant laws currently in place for other classes of individuals, and requires automatic issuance of a no contact order against the defendant at the time of booking, release officer decision, or arraignment to a defendant accused of a bias crime. Finally, the measure directs DOJ to develop and deliver a training program for district attorney victim assistance programs and adds DOJ personnel who staff the hate crimes hotline to the existing program allowing certain public employees to keep their home address confidential in Department of Motor vehicle records.