Senate Bill 636

Sponsored by Senator KNOPP (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.

Prohibits public bodies and business affiliates of public bodies from requiring person to wear face covering or discriminating against person on basis of failure or refusal to wear face covering.

A BILL FOR AN ACT

Relating to safeguarding personal liberty against face covering policies.

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

SECTION 1. (1) It is the policy of the State of Oregon to safeguard public health and liberty in a reasonable and balanced manner.

(2) It is the policy of the State of Oregon to infringe personal liberty only to the extent necessary to protect the public health and only where a direct threat can be shown to justify liberty infringement. Any infringement of liberty to further public health must be medically necessary and furthered by the least intrusive means possible.

(3) The Legislative Assembly finds that face coverings create health risks by limiting the ability to breathe naturally and fully and also have other harmful effects, including antisocial effects, and that children are particularly prone to these harmful effects.

SECTION 2. (1) As used in this section:

(a) “Business affiliate of a public body” means any company contracting with or doing business with a public body or receiving public funds through any means including contracts, grants, loans or other disbursements of taxpayer moneys from a public body.

(b) “Company” means a corporation, limited liability corporation, nonprofit corporation, partnership, limited partnership, limited liability partnership, business trust, joint venture, domestic or foreign sole proprietorship, other domestic or foreign entity or business association or any other business organization and includes any subsidiary or parent company of a business organization.

(c) “Discriminate” means to take any of the following actions based on a person's failure or refusal to wear a face covering:

(A) Refuse to hire the person, fail to promote the person, reassign the person with significantly different responsibilities, reduce the person's pay, significantly change the person's benefits or terminate the person's employment.

(B) Refuse to admit the person to a school, childcare facility, children's sport activity or any other extracurricular activity for children.

(C) Refuse to allow the person to enter or patronize an establishment of a public body or business affiliate of a public body.

(d) “Face covering” means a natural or synthetic fabric that covers the nose and mouth.
and is secured to the head with ties, straps or ear loops to affix the face covering to the face.

(e) “Public body” has the meaning given that term in ORS 174.109.

(2) A public body or an affiliate of a public body may not:

(a) Require a person to wear a face covering.

(b) Discriminate against a person based on failure or refusal to wear a face covering.

(3) A public body may not enter into a contract with or give a loan, grant or any other disbursement of taxpayer moneys to a business affiliate of a public body that requires a person to wear a face covering.

(4) A business affiliate of a public body that violates this section materially breaches its contract with the public body, rendering the contract voidable by the public body.

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