

# Senate Bill 1587

Sponsored by Senators HANSELL, GELSER BLOUIN, Representatives LEVY B, WALLAN; Senator ANDERSON, Representative REYNOLDS (Pre-session 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**. The statement includes a measure digest written in compliance with applicable readability standards.

**Digest:** The Act protects a children's advocacy center from legal action for looking into the abuse of a child if a nationwide group says that the center meets certain standards. The Act protects the center's employees, too. The Act does not protect a center from legal action based on its employees' adverse treatment of a person on the basis of a protected class. The Act goes into effect when the Governor signs it. (Flesch Readability Score: 61.6).

Grants certain immunities to children's advocacy centers and to employees and designated agents of children's advocacy centers.

Requires applicants for funds to establish and maintain a children's advocacy center to include evidence of the center's accreditation with a nationally recognized organization.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to children's advocacy centers; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2024 Act is added to and made a part of ORS 418.746 to**  
5 **418.796.**

6 **SECTION 2. (1) If a children's advocacy center provides evidence that it is a member in**  
7 **good standing of, or is actively working towards accreditation by, a national organization**  
8 **that provides accreditation based on nationally recognized standards and on evidence-based**  
9 **measures, an employee or designated agent of the children's advocacy center who is partic-**  
10 **ipating in good faith in a child abuse assessment and who has reasonable grounds for that**  
11 **participation and for the conclusions or diagnoses made in that assessment shall have im-**  
12 **munity:**

13 (a) **From any civil liability that might otherwise be incurred or imposed with respect to**  
14 **participating in the assessment; and**

15 (b) **With respect to participating in any judicial proceeding resulting from the assess-**  
16 **ment.**

17 (2) **A children's advocacy center shall have the same immunity from any civil liability**  
18 **that might otherwise be incurred with respect to its employees' or designated agents' par-**  
19 **ticipation in a child abuse assessment as described in subsection (1) of this section.**

20 (3) **Nothing in this section provides a children's advocacy center with immunity from li-**  
21 **ability for discrimination by its employees or designated agents if the discrimination is on**  
22 **the basis of a protected class, as defined in ORS 652.210.**

23 (4) **Nothing in this section may be construed to limit or otherwise affect the liability of**  
24 **any person for damages resulting from the person's:**

25 (a) **Gross negligence;**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

- 1       **(b) Reckless, wanton or intentional misconduct;**
- 2       **(c) Abuse or neglect of the child who is the subject of the child abuse assessment; or**
- 3       **(d) Medical malpractice.**
- 4       **(5) As used in this section, “designated agent” means a person contracted by a children’s**
- 5 **advocacy center to conduct child abuse assessments.**
- 6       **SECTION 3.** **Section 2 of this 2024 Act applies to acts occurring on or after the effective**
- 7 **date of this 2024 Act.**
- 8       **SECTION 4.** **This 2024 Act being necessary for the immediate preservation of the public**
- 9 **peace, health and safety, an emergency is declared to exist, and this 2024 Act takes effect**
- 10 **on its passage.**

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