

# Senate Bill 1600

Sponsored by JOINT COMMITTEE ON CONDUCT (at the request of Senator Dick Anderson, Representative Jason Kropf, Representative Kevin Mannix, Senator Floyd Prozanski)

## 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 changes what can be made public during and after a Rule 27 investigation of charges of rule violations. The Act takes effect when it is signed. (Flesch Readability Score: 65.7).

Modifies confidentiality and disclosure standards for records associated with investigations under legislative branch personnel rules. Eliminates the role of an offsite process counselor.

Declares an emergency, effective on passage.

## A BILL FOR AN ACT

Relating to Legislative Equity Office operations; amending ORS 40.252 and 173.936; repealing ORS 40.274, 173.930 and 173.933; and declaring an emergency.

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

**SECTION 1.** ORS 173.936 is amended to read:

173.936. (1) Records and information of the Legislative Equity Officer appointed in ORS 173.900 that relate to disclosures, reports or other allegations made to the equity officer or that relate to investigations, reports or counseling undertaken by the equity officer or by an [*independent*] investigator [*or offsite process counselor*] at the request or direction of the equity officer are exempt from required disclosure under ORS 192.311 to 192.478, except that:

[(1) *A conduct complaint made under legislative branch personnel rules is disclosable when requested;*]

[(2) *Records relating to an investigation of a member of the Legislative Assembly following a conduct complaint being made concerning the member are subject to disclosure after the fact-finding investigation has concluded, even if a legislative committee has not yet met or deliberated on the investigation's findings; and*]

[(3) *Records relating to an investigation of allegations of conduct prohibited by legislative branch personnel rules and not described in subsection (1) or (2) of this section are subject to disclosure upon a determination being made that the person who was the subject of the investigation is subject to remedial measures or discipline.*]

(a) **A final investigative report in which a member of the Legislative Assembly is the respondent is disclosable when the report is delivered to the appropriate conduct committee;**

(b) **A final investigative report in which someone other than a member of the Legislative Assembly is a respondent is subject to disclosure upon a determination being made that the person who was the subject of the investigation is subject to remedial measures or discipline; and**

(c) **Any agreement that serves as a resolution of an investigation under legislative branch personnel rules and in which the respondent is a member of the Legislative Assembly, or a**

**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 **written summary of such an investigation, is subject to disclosure, except that identifying**  
2 **information about any individual who is not a member of the Legislative Assembly may be**  
3 **redacted.**

4 **(2) As used in this section, “investigative report” and “respondent” have the meanings**  
5 **given those terms in legislative branch personnel rules.**

6 **SECTION 2.** ORS 40.252 is amended to read:

7 40.252. (1) In addition to any other limitations on privilege that may be imposed by law, there  
8 is no privilege under ORS 40.225, 40.230, 40.250[,] **or** 40.264 [**or** 40.274] for communications if:

9 (a) In the professional judgment of the person receiving the communications, the communica-  
10 tions reveal that the declarant has a clear and serious intent at the time the communications are  
11 made to subsequently commit a crime involving physical injury, a threat to the physical safety of  
12 any person, sexual abuse or death or involving an act described in ORS 167.322;

13 (b) In the professional judgment of the person receiving the communications, the declarant poses  
14 a danger of committing the crime; and

15 (c) The person receiving the communications makes a report to another person based on the  
16 communications.

17 (2) The provisions of this section do not create a duty to report any communication to any  
18 person.

19 (3) A person who discloses a communication described in subsection (1) of this section, or fails  
20 to disclose a communication described in subsection (1) of this section, is not liable to any other  
21 person in a civil action for any damage or injury arising out of the disclosure or failure to disclose.

22 **SECTION 3. ORS 40.274, 173.930 and 173.933 are repealed.**

23 **SECTION 4. This 2026 Act being necessary for the immediate preservation of the public**  
24 **peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect**  
25 **on its passage.**

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