

Enrolled House Bill 2217

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Governor Theodore R. Kulongoski for State Parks and Recreation Department)

CHAPTER

AN ACT

Relating to criminal records checks by State Parks and Recreation Department; creating new provisions; amending ORS 390.020; and repealing ORS 565.071.

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

SECTION 1. ORS 390.200 is amended to read:

390.200. For the purpose of requesting a state or nationwide criminal records check under ORS 181.534, the State Parks and Recreation Department may require the fingerprints of a person who:

(1)(a) Is employed or applying for employment by the department; [*or*]

(b) Provides services or seeks to provide services to the department as a contractor or volunteer; [*and*] **or**

(c) Is a licensee of the department or is applying for a license, or renewal of a license, that is issued by the department; and

(2) Is, or will be, working or providing services in a position:

(a) In which the person has direct access to persons under 18 years of age, elderly persons or persons with disabilities;

(b) In which the person is providing information technology services and has control over, or access to, information technology systems that would allow the person to harm the information technology systems or the information contained in the systems;

(c) In which the person has access to information, the disclosure of which is prohibited by state or federal laws, rules or regulations or information that is defined as confidential under state or federal laws, rules or regulations;

(d) That has payroll functions or in which the person has responsibility for receiving, receipting or depositing money or negotiable instruments, for billing, collections or other financial transactions, **for sales or distribution of tickets or other instruments that can be exchanged for goods, services or access to events on department property** or for purchasing or selling property or has access to property held in trust or to private property in the temporary custody of the state;

(e) In which the person has responsibility for auditing agency financial transactions;

(f) In which the person has access to personal information about employees, **licensees** or members of the public including Social Security numbers, dates of birth, driver license numbers, medical information, personal financial information or criminal background information;

(g) In which the person has access to tax or financial information of individuals or business entities;

(h) In which the person provides security, design or construction services for government buildings, grounds or facilities; [or]

(i) In which the person may issue citations under ORS 390.050; or

(j) In which a person has key access to buildings and grounds that contain private property belonging or entrusted to exhibitors, promoters, licensees or event coordinators.

SECTION 2. ORS 565.071 is repealed.

SECTION 3. The amendments to ORS 390.200 by section 1 of this 2009 Act apply to criminal records checks commenced by the State Parks and Recreation Department on or after the effective date of this 2009 Act.

Passed by House March 2, 2009

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Chief Clerk of House

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Speaker of House

Passed by Senate June 3, 2009

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President of Senate

Received by Governor:

.....M,....., 2009

Approved:

.....M,....., 2009

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Governor

Filed in Office of Secretary of State:

.....M,....., 2009

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Secretary of State