

A-Engrossed
Senate Bill 775

Ordered by the Senate April 19
Including Senate Amendments dated April 19

Sponsored by Senators DEMBROW, FREDERICK, WINTERS, Representative SANCHEZ; Senator MANNING JR,
Representatives LEIF, WILLIAMS

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.

Requires [*public bodies*] **agencies of state government** to use Department of State Police for purposes of requesting criminal records checks relating to employment by [*public body*] **agency**.

Establishes rebuttable presumption in claim for negligence based on defendant's failure to conduct adequate criminal records check that defendant was not negligent if defendant requested and received criminal records check from Department of State Police.

A BILL FOR AN ACT

1
2 Relating to criminal records checks.

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

4 **SECTION 1. If an agency of state government, as defined in ORS 174.111, conducts a**
5 **criminal records check of a person for the purposes of employment by the agency, the agency**
6 **shall request the criminal records check from the Department of State Police.**

7 **SECTION 2. In a claim for negligence based on the defendant's failure to conduct an**
8 **adequate criminal records check of a person, there is a rebuttable presumption that the de-**
9 **fendant was not negligent if the defendant requested and received the criminal records check**
10 **from the Department of State Police.**

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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.