

B-Engrossed
Senate Bill 775

Ordered by the House May 28
Including Senate Amendments dated April 19 and House Amendments
dated May 28

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 agencies of state government to [*use Department of State Police for purposes of requesting*] **conduct** criminal records checks relating to employment by agency **through Department of State Police**.

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*] **conducted** criminal records check [*from*] **through** 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. (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 conduct the criminal records check through the Department of State Police.**

7 **(2) A criminal records check conducted through the Law Enforcement Data System**
8 **meets the requirements of this section.**

9 **SECTION 2. (1) In a claim for negligence based on the defendant's failure to conduct an**
10 **adequate criminal records check of a person, there is a rebuttable presumption that the de-**
11 **fendant was not negligent if the defendant conducted the criminal records check through the**
12 **Department of State Police.**

13 **(2) A criminal records check conducted through the Law Enforcement Data System**
14 **meets the requirements of this section.**

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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.