

Minority Report
A-Engrossed
Senate Bill 1512

Ordered by the Senate February 22
Including Senate Minority Report Amendments dated February 22

Sponsored by nonconcurring members of the Senate Committee on Judiciary and Ballot Measure 110 Implementation: Senators HEARD, LINTHICUM

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.

[Specifies conditions under which licensing board, commission or agency may suspend or deny occupational or professional license on basis of applicant's or licensee's criminal history, moral character or similar qualification. Provides that denial must be on basis of conviction that substantially relates to specific duties and responsibilities for which license is required.]

[Permits person convicted of crime to petition licensing board, commission or agency at any time for determination as to whether conviction will prevent person from receiving occupational or professional license. Specifies fees that licensing board, commission or agency may charge and notice that licensing board, commission or agency must provide.]

[Prohibits employer, state agency or licensing board from taking certain actions on basis of record created or maintained under jurisdiction of juvenile court.]

[Provides that adjudication that youth is within jurisdiction of juvenile court does not forfeit any right or privilege or operate as disqualification from holding public office or pursuing or engaging in lawful activity, occupation, profession or calling.]

[Specifies certain disclosures to victims or alleged victims of certain acts by adjudicated youths.]

Establishes Task Force on Occupational and Professional Licensing. Specifies that task force consists of 21 members appointed by President of Senate and Speaker of House of Representatives, including legislators, employers that hire persons who require licenses to pursue occupation or profession, persons who work in fields that require occupational or professional licenses, chief executive officer of Oregon State Bar and representatives from 12 licensing boards, commissions or agencies that receive largest number of applications and grant largest number of occupational or professional licenses in this state.

Requires task force to study issues related to occupational and professional licensing, with focus on extent to which licensing boards, commissions and agencies deny, suspend, revoke or refuse to renew licenses on basis of applicant's or licensee's previous criminal conviction or juvenile adjudication.

Sunset December 31, 2023.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to the effects on adjudicated persons of adjudications for criminal acts; and prescribing an
3 effective date.

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

5 **SECTION 1. (1) The Task Force on Occupational and Professional Licensing is estab-**
6 **lished.**

7 **(2) The task force consists of 21 members appointed as follows:**

8 **(a) The President of the Senate shall appoint:**

9 **(A) Two members from among members of the Senate, with one member from each of**
10 **the two largest caucuses among members of the Senate;**

11 **(B) One member who represents employers who hire persons who require licenses to**

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 **pursue an occupation or profession; and**

2 **(C) One member who is a person who is working in a field that requires an occupational**
3 **or professional license.**

4 **(b) The Speaker of the House of Representatives shall appoint:**

5 **(A) Two members from among members of the House of Representatives, with one**
6 **member from each of the two largest caucuses among members of the House of Represen-**
7 **tatives;**

8 **(B) One member who represents employers who hire persons who require licenses to**
9 **pursue an occupation or profession; and**

10 **(C) One member who is a person who is working in a field that requires an occupational**
11 **or professional license.**

12 **(c) The President of the Senate and the Speaker of the House of Representatives shall**
13 **jointly appoint the chief executive officer of the Oregon State Bar and representatives from**
14 **among the 12 licensing boards, commissions or agencies that receive the largest number of**
15 **applications and grant the largest number of occupational or professional licenses in this**
16 **state.**

17 **(3) The task force shall:**

18 **(a) Research and study issues related to occupational and professional licensing in this**
19 **state, with a particular focus on:**

20 **(A) The extent to which licensing boards, commissions and agencies deny occupational**
21 **and professional licenses or suspend, revoke or refuse to renew previously granted licenses**
22 **on the basis of a previous criminal conviction or juvenile adjudication, along with the number**
23 **of licenses denied, suspended, revoked or denied renewal for that reason in each calendar**
24 **year; and**

25 **(B) Other barriers that exist for applicants for occupational and professional licensing**
26 **or that result in licensees facing suspension, revocation or denials of renewal.**

27 **(b) Make recommendations for improvements and methods for removing barriers to li-**
28 **censing in the report described in subsection (11) of this section.**

29 **(4) The task force may receive testimony and applicable literature, consult experts, per-**
30 **form investigations and otherwise take any action necessary to carry out the scope of the**
31 **task force's responsibilities under subsection (3) of this section.**

32 **(5) A majority of the members of the task force constitutes a quorum for the transaction**
33 **of business.**

34 **(6) Official action by the task force requires the approval of a majority of the members**
35 **of the task force.**

36 **(7) The task force shall elect one of its members to serve as chairperson.**

37 **(8) If there is a vacancy for any cause, the appointing authority shall make an appoint-**
38 **ment to become immediately effective.**

39 **(9) The task force shall meet at times and places specified by the call of the chairperson**
40 **or of a majority of the members of the task force.**

41 **(10) The task force may adopt rules necessary for the operation of the task force.**

42 **(11) The task force shall submit a report in the manner provided by ORS 192.245, and**
43 **may include recommendations for legislation, to an interim committee of the Legislative**
44 **Assembly related to occupational and professional licensing no later than September 15, 2022.**

45 **(12) The Legislative Policy and Research Office shall provide staff support to the task**

1 **force.**

2 (13) **Members of the Legislative Assembly appointed to the task force are nonvoting**
3 **members of the task force and may act in an advisory capacity only.**

4 (14) **Members of the task force who are not members of the Legislative Assembly are not**
5 **entitled to compensation or reimbursement for expenses and serve as volunteers on the task**
6 **force.**

7 (15) **All agencies of state government, as defined in ORS 174.111, are directed to assist**
8 **the task force in the performance of the duties of the task force and, to the extent permitted**
9 **by laws relating to confidentiality, to furnish information and advice the members of the task**
10 **force consider necessary to perform their duties.**

11 **SECTION 2. Section 1 of this 2022 Act is repealed on December 31, 2023.**

12 **SECTION 3. This 2022 Act takes effect on the 91st day after the date on which the 2022**
13 **regular session of the Eighty-first Legislative Assembly adjourns sine die.**

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