

# Senate Bill 636

Sponsored by Senator KNOPP (Presession filed.)

## 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**.

Prohibits public bodies and business affiliates of public bodies from requiring person to wear face covering or discriminating against person on basis of failure or refusal to wear face covering.

## A BILL FOR AN ACT

1  
2 Relating to safeguarding personal liberty against face covering policies.

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

4 **SECTION 1. (1) It is the policy of the State of Oregon to safeguard public health and**  
5 **liberty in a reasonable and balanced manner.**

6 **(2) It is the policy of the State of Oregon to infringe personal liberty only to the extent**  
7 **necessary to protect the public health and only where a direct threat can be shown to justify**  
8 **liberty infringement. Any infringement of liberty to further public health must be medically**  
9 **necessary and furthered by the least intrusive means possible.**

10 **(3) The Legislative Assembly finds that face coverings create health risks by limiting the**  
11 **ability to breathe naturally and fully and also have other harmful effects, including antisocial**  
12 **effects, and that children are particularly prone to these harmful effects.**

13 **SECTION 2. (1) As used in this section:**

14 **(a) "Business affiliate of a public body" means any company contracting with or doing**  
15 **business with a public body or receiving public funds through any means including contracts,**  
16 **grants, loans or other disbursements of taxpayer moneys from a public body.**

17 **(b) "Company" means a corporation, limited liability corporation, nonprofit corporation,**  
18 **partnership, limited partnership, limited liability partnership, business trust, joint venture,**  
19 **domestic or foreign sole proprietorship, other domestic or foreign entity or business associ-**  
20 **ation or any other business organization and includes any subsidiary or parent company of**  
21 **a business organization.**

22 **(c) "Discriminate" means to take any of the following actions based on a person's failure**  
23 **or refusal to wear a face covering:**

24 **(A) Refuse to hire the person, fail to promote the person, reassign the person with sig-**  
25 **nificantly different responsibilities, reduce the person's pay, significantly change the person's**  
26 **benefits or terminate the person's employment.**

27 **(B) Refuse to admit the person to a school, childcare facility, children's sport activity or**  
28 **any other extracurricular activity for children.**

29 **(C) Refuse to allow the person to enter or patronize an establishment of a public body**  
30 **or business affiliate of a public body.**

31 **(d) "Face covering" means a natural or synthetic fabric that covers the nose and mouth**

**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 **and is secured to the head with ties, straps or ear loops to affix the face covering to the face.**

2 **(e) "Public body" has the meaning given that term in ORS 174.109.**

3 **(2) A public body or an affiliate of a public body may not:**

4 **(a) Require a person to wear a face covering.**

5 **(b) Discriminate against a person based on failure or refusal to wear a face covering.**

6 **(3) A public body may not enter into a contract with or give a loan, grant or any other**  
7 **disbursement of taxpayer moneys to a business affiliate of a public body that requires a**  
8 **person to wear a face covering.**

9 **(4) A business affiliate of a public body that violates this section materially breaches its**  
10 **contract with the public body, rendering the contract voidable by the public body.**

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