

HB 3224 STAFF MEASURE SUMMARY

House Committee On Early Childhood and Human Services

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/27

WHAT THE MEASURE DOES:

The measure directs the Department of Human Services (DHS) to review state law to identify all instances of required background checks, identify similarities and differences in the different background check requirements, and report on options to consolidate and reduce the number of different background checks required for similar purposes. The measure directs DHS to submit a report to the Legislative Assembly by September 15, 2026. The measure sunsets on January 2, 2027.

REVENUE: *May have revenue impact, but no statement yet issued.*

FISCAL: *May have fiscal impact, but no statement yet issued.*

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Background checks are commonly used to screen individuals in certain positions or occupations such as individuals working with youth or vulnerable populations. Background checks can include a verification of an applicant's, or subject individual's (SI), employment history and a review of criminal justice records. [ORS 181A.190](#) authorizes certain agencies, including the Department of Human Services (DHS), to request the Department of State Police (OSP) to conduct a criminal records check on SIs, and directs DHS to make a fitness determination based on the SI based on the information provided as a part of the criminal records check. In 2024, the Legislative Assembly passed [House Bill 4122](#) which directed the OSP to participate in the Rap Back system, a federal system maintained by the Federal Bureau of Investigation. The Rap Back system enables authorized entities to receive ongoing status notifications on individuals whose fingerprints are registered in the system.

The Department of Administrative Services (DAS) administrative rules provide uniform administrative rules to streamline the criminal records check process statewide ([OAR 125-007-0200 to OAR 125-007-0330](#)). These rules contain guidance on the information required from an SI, crimes and offenses considered potentially disqualifying, fitness determination tests conducted by agencies based on information obtained through a criminal records check, and recordkeeping and confidentiality. Individual agencies or licensing boards may have specific requirements beyond the provisions of the statewide rules.

[ORS 181A.200](#) authorizes the Department of Human Services (DHS), Oregon Health Authority (OHA), and Oregon employment Department (OED) to conduct criminal records checks for certain workers. [The Background Check Unit](#) (BCU) is an inter-agency service that conducts background checks for DHS and OHA on applicants, employees, contractors, vendors, and volunteers. The BCU provides services to DHS, OHA, business regulated by either entity, and businesses that meet criteria to use the [BCU Clearinghouse](#). The BCU maintains the [Oregon Criminal History and Abuse Records Data System](#) (ORCHARDS), a portal for agencies and other qualified entities to submit records check requests and receive fitness determination results.